

1608/192
OBSERVATIONS
ON THE
POLITICAL INFLUENCE
OF THE
DOCTRINE
OF THE
POPE'S SUPREMACY.

ADDRESSED TO THE
REVEREND DOCTOR BUTLER, &c. &c.

BY WILLIAM HALES, D. D.
FELLOW OF TRINITY COLLEGE, DUBLIN.

*Casting down Imaginations, and every high Thing that exalteth
itself against the Knowledge of God; and bringing into
Captivity every Thought to the Obedience of Christ.*

11 Cor. 10. 5.

D U B L I N:
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M.DCC.LXXXVII.



ON OBSERVATIONS

ON

POLITICAL INFLUENCE

OF THE

DOCTOR OF THE

OF THE

POPULARITY

AND

REVEREND DOCTOR BUTLER, &c. &c.

BY WILLIAM HALL, D.D.

Fellow of Trinity College, Dublin.

Collegium hoc in hunc mundum est, quod est
ipsum agens, et hunc mundum est, et hunc
Collegium hoc in hunc mundum est, et hunc
ipsum agens, et hunc mundum est, et hunc

D U S B I M

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MILBURN

P R E F A C E.

HAVING observed many extraordinary assertions *imputed* to the Bishop of Cloyne, in the late Publications of Doctor Butler, and Mr. O'Leary, which I could not find in his Pamphlet, after a careful research; I shall submit to Them and the Public (as in duty bound) an ATTEMPT towards harmonizing some *seemingly discordant* instances of this nature, which surpasses all my skill to account for satisfactorily: Hoping, that Doctor Butler, and Mr. O'Leary, will, if not for my satisfaction, at least from regard to their own veracity, and the favourable opinion of the Public, endeavour to reconcile them.

BISHOP OF CLOYNE.

" One part of the duty
" of the Parochial Clergy
" is, to impress on the
" minds of their Flock a
" *Christian spirit of Love*
" to their Fellow-citizens,
" who differ from them in
" Religious opinions."

DR. BUTLER.

" He awoke with all the
" hasty apprehensions, of
" dreaming terror, to sound
" the alarm, and call one
" part of the Nation to
" arms against the other."

BISHOP OF CLOYNE.

"The *dark* and deep
"scheme" [of ruining the
"Protestant Clergy] was plan-
"ned "by nominal Protes-
"tants." The "Popish
"Mob" was "connived at
"by some Members of the
"Established Church," and
"encouraged by not a few
"Magistrates."—My argu-
"ments do not "apply to
"impeach the conduct of
"the Members of the two
"Dissenting Communions."

"Despotic States found
"in the *Papal Authority* a
"congenial system of arbi-
"trary dominion."

"It is the business of
"the Protestant Govern-
"ment, while it allows (for
"its own credit as well as
"from motives of Huma-
"nity) to the Roman Ca-
"tholic, freedom of Reli-
"gion, which is his *natu-
"ral indefeasible right*; and
"every comfort as a citi-
"zen, which is an *equital-
"political right*; and this is
"the utmost extent of ra-
"tional Toleration: &c."

DR. BUTLER.

"He urges, that the In-
"surrection in the South
"was a *mere* Popish Insur-
"rection, for the purpose
"of overturning the Pro-
"testant Religion;" cruelly
"insinuates, that the body of
"Roman Catholics had fram-
"ed "a *dark* well-formed sys-
"tematical design against
"the Government which
"protects them."

"He charges the *Church*
"of Rome with an *insuper-
"able* regard for arbitrary
"dominion."

"The accusations now
"brought publicly for-
"ward by the Bishop of
"Cloyne, to terrify the
"grown generation, is only
"a branch of that system"
["of undermining all the
"liberal Plan the Irish Le-
"gislation had formed,
"of removing the *Penal*
"shackles, &c."] "which
"had been adopted in the
"instruction of the rising
"one" [in the Charter
"School Catechism.]

"The

BISHOP OF CLOYNE.

“ The influence of the
 “ secular Roman Catholick
 “ Priests has been found
 “ useful in the prevention
 “ of outrages. It is but
 “ justice to bear that tes-
 “ timony to a necessary or-
 “ der of Ecclesiasticks, some
 “ of whom I have found
 “ to be men of worth, and
 “ ready to co-operate in
 “ any measure for the pro-
 “ motion of charity and
 “ public order.”

“ The Roman Catho-
 “ lick Prelates of Munster
 “ *very properly* declared
 “ with regard to the oaths
 “ extorted by the White
 “ Boys, &c.”

“ The security which
 “ an oath of allegiance
 “ could give, does not ap-
 “ ply to the danger of *un-*
 “ *dermining* the Ecclesi-
 “ astical Establishment.”
 “ How would such a pro-
 “ ceeding [in a Roman
 “ Catholick] *clash* with his
 “ Oath of Allegiance to
 “ the King, or his dis-
 “ avowal of the Pope’s
 “ authority in the *tempo-*
 “ *ral* affairs of the King-
 “ dom.”

DR. BUTLER.

“ He pursues a certain
 “ method of rendering the
 “ Catholick Clergy—and
 “ more particularly the Ca-
 “ tholick Prelates, objects
 “ of contempt with the
 “ people.”

“ Paints the Romish Bi-
 “ shops as the *most flagi-*
 “ *tious* of human Beings.”

“ If

BISHOP OF CLOYNE.

" If the Oath were ex-
 " tended to comprehend
 " the entire Constitution,
 " I am ready to believe
 " that many individual Ro-
 " man Catholicks are Men
 " of such integrity, that
 " they would adhere to
 " such an Oath, if they
 " thought proper to take
 " it: for Men are often
 " better than their Tenets.
 " If a *new* Oath were re-
 " quired which compre-
 " hended the perpetual
 " establishment of the
 " Protestant Religion, we
 " may judge what would
 " be the Doctrine of the
 " titular Bishops, from the
 " Clauses in their Oath of
 " Consecration: Will he
 " [the Roman Catholick
 " Bishop] then be likely
 " to use his influence over
 " his Flock, to enforce the
 " obligation of an Oath
 " derogatory from the
 " Royalties of St. Peter,
 " and the authority of the
 " holy Roman Church, and
 " calculated to give *stabi-*
 " *lity to Heresy?* Will he
 " not think *that* Oath
 " *malum in se.* He
 " would probably say, that
 " the observation of it
 " would aggravate the
 " guilt."

DR. BUTLER.

" The proposition, that
 " Men were better than
 " their Tenets" was en-
 " forced, though in other
 " terms, to pay a *sneering*
 " compliment to *Duplicity*. In
 " no other light can it be
 " taken."

" He states the Oath
 " taken at Consecration
 " by the Bishops as dia-
 " metrically opposite to
 " their oaths of *allegiance*,
 " and involving them either
 " way in the Guilt of Per-
 " jury—He paints the Con-
 " secration Oath in the
 " highest colours, as sub-
 " versive of all *Allegiance*.
 " He has tortured and per-
 " verted a Consecration
 " Oath to prove that they
 " are *perjured*."

" He asserts that the test
 " of *Allegiance* was con-
 " sidered by *me* as *malum*
 " *in se*, and that *I* confi-
 " dered the Guilt of taking
 " it would be increased by
 " the guilt of keeping it."

" The

BISHOP OF CLOYNE.

"The term *persequar* is
"ambiguous."

DR. BUTLER.

"He uses all the force
"of exaggeration to make
"the *persequar* et *impug-*
"nabo of the Romish Bi-
"shops consecration oath
"appear with all the ter-
"rific appendages of fag-
"gots and gibbets, and
"graves and furze-bushes."

I will now ask the Reader, whether this Mass of Misrepresentation, be worthy of the Birth, the Ecclesiastical Station, or the Character of Doctor *Butler*? Charity may indeed wish to attribute this to mistake, or perhaps zeal *misguided*; which latter supposition is strongly countenanced from the motley diversity of styles which pervades his JUSTIFICATION; as well as the general unlikeness between this Composition and his LETTER to Lord *Kenmare*. But whoever might have been his Coadjutor or Coadjutors, I cannot acquit Doctor *Butler* himself of want of *Candour*, in producing an extract from the Bishop of *Cloyne*'s *first* letter, in order to fix upon his Lordship the imputation of inconsistency, whilst he suppresses the Bishop's

shop's *second* Letter, (which he *admits* that he received) endeavouring to rectify the Doctor's misconception on this point; a misconception which the following Extract, transcribed from his Lordship's Copy, ought to have removed.—“ *On a careful review*
 “ *of that part of my Pamphlet in which they*
 “ *[the Roman Catholic Bishops] are mentioned,*
 “ *I am confident you will discover that no-*
 “ *thing is levelled at the sincerity of your al-*
 “ *legiance. My reasoning proceeds on the sup-*
 “ *position of any future Oath to secure the*
 “ *perpetual establishment of the Protestant*
 “ *Church in this Kingdom.*”—Perfectly consistent, we see, with the passage above quoted.

II. To proceed now to Mr. O'Leary.

BISHOP OF CLOYNE.

"Since it [this Pamphlet] was published, He [the Bishop] has seen an *Address* to the Nobility and Gentry of Ireland by a *Layman*; in which MANY of the observations in this Tract, are anticipated with so much ability, that the Author would have struck them out, if they had not been necessary to the chain of his Argument."

ADVERTISEMENT.

"Since this Pamphlet was sent to the Press, a Letter to the Public on the subject of Tithes, intended as an Answer to *Theophilus* [the *Layman*] has appeared in print. As far as this Publication attacks the reasoning of that able writer, I should deem it presumption in me to come forward in his defence."

POSTSCRIPT.

MR. O'LEARY.

"He [the Bishop] acknowledges, that his and *Theophilus*'s Arguments on the Subject of Tithes are the SAME."

"The Bishop of Cloyne has declared himself *Theophilus*'s Confederate, in joining him in his attack on Mr. O'Leary's Character."

The

BISHOP OF CLRYNE.

"The *Letter Writer* reproaches *Theophilus* severely, for calling these lawless people [the white Boys] a Popish Banditti, spirited up by agitating Friars and Romish Missionaries sent hither on purpose to sow sedition. His terms as well as reasoning, I shall leave to *Theophilus* to defend (observing only, that a strong conviction of the truth, and apprehension for the safety of Religion, will naturally excite a warmth, from which Indifference is a sure exemption)."

"And I shall leave it likewise to him [*Theophilus*] to make good the assertion: that agitating Friars and Romish Missionaries have been sent hither for the purpose of sowing sedition.

But I cannot help thinking the *Letter Writer* goes far, in asserting that *no such* Friars or Missionaries have been found in this Country; that is, that neither *Theophilus*, or any other person has discovered any such. It is nearly impossible for any Man to prove

MR. O'LEARY.

And in his Postscript, he [the *Bishop*] glosses over that *Writer's* scurrilities and falsehoods, by saying, "that apprehension for the danger of Religion may excite a certain warmth."

When *Theophilus* is challenged to point out any agitating Friar or Romish Missionary sent here to sow sedition; the *Bishop*, with true Apostolic Charity, excuses his Confederate, by saying "that it is very hard to prove a negative." Though *Theophilus* cannot prove the charge, yet he is not to be blamed for asserting that there are agitating Friars and Romish Missionaries sent here for that purpose. And though *Theo-*

BISHOP OF CLOYNE.

such a negative proposition, to his own satisfaction; and I am sure so bold an assertion will have little authority with any other Man."

MR. O'LEARY.

philus should insert in his Pamphlet: that the Woman who attempted his Majesty's life was a *Popish Priest*, disguised in women's clothes; the most charitable Bishop would excuse him, by saying: "that it is hard " to prove a negative, for " the *Assassin's* sex was not " examined."

ADDRESS.

" As his Antagonist [the Letter-writer] controverts some *facts*, which it is in my power to support with unquestionable authorities; I am called on by common Justice, to produce *my* testimony; the Vouchers of which are not vague reports, but original Documents, or Copies of such Documents ready to be attested on Oath, or Affidavits of most respectable Men." [After enumerating eleven instances of *personal attacks* on Clergymen by the White Boys in the Diocese of *Cloyne*, and five in the Dioceses of *Cork* and *Ross*, the Bishop proceeds] " Many of the Clergy of

When Doctor *Woodward* promised in the Title Page of his Pamphlet, a General account of the Insurrections in Munster; we little expected a short Martyrology of two or three pages, announcing threats to *burn new Churches* which are still standing, and have no elements to resist but wind and rain; *Old Churches* to be changed into *Mass Houses*, which have not yet been sprinkled with holy water; *The tongues of Clergymen* to be cut out, which tongues have not yet lost their spring; and other alarming Menaces, for which he acknowledges to have no other Voucher but

BISHOP OF CLOYNE.

those Dioceses received threatening messages and letters: In consequence of which Menaces, two of them took refuge in Cork. A *Clergyman, now resident in Cork, a fortnight since, received a White Boy Message, that his ears should be cropped, and his tongue cut out of his Mouth—On the whole, all the Clergy in the extensive County of Cork (of whom only I speak with the support of *Authentic Proofs*) whose places of residence were in the Country, were under continual Alarm, and obliged to arm themselves in the best manner they could: And had they not yielded to the Violence of the Insurgents, I am persuaded, would have been personally ill treated; perhaps buried in those graves, which were in many places dug (professedly) for their reception."

"I will beg leave to ask him [Mr. O'Leary] a question. If there were an

MR. O'LEARY.

a Paper be received from Cork.

When the Lord Bishop of Cloyne begins his query with these words, *If there*

* Of this last fact I have no other voucher than a printed paper transmitted to me by a Dignified Clergyman in the Diocese of Cork; but I am convinced of the truth of it.

BISHOP OF CLOYNE.

MR. O'LEARY.

*Insurrection of Protestants in Bohemia, for the purpose of robbing the established Roman Catholic Clergy (and there might have been Protestants enough, if the perfidious cruelty of the late Empress Queen * had not nearly rooted them out †) and a Protestant Clergyman had written two public Addresses to the Insurgents, setting forth the oppression they had suffered, from the dues of the Clergy; and suggesting to them, that they had a right to expect a change in the arrangement of the Ecclesiastical Revenues, from the Humanity of the present Emperor: What does he imagine that great and tolerating Prince would think of a Subject who made such a use of his toleration?*

*&c. rooted them out. When his Lordship begins his query with such words, I must take the liberty of reminding him, that in his short query are two fallacies—The first fallacy is in these words, if there were an insurrection of Protestants in Bohemia. For, the Insurgents in the South of Ireland were not merely [though mostly †] Catholics, as I have proved in my Narrative, [and two Addresses to “ the Common People of Ireland, particularly to such of them “ as are called White Boys;” and a third Address “ to “ the White Boys, particularly those of the County “ of Cork.”]—The second fallacy consists in supposing that my writings have a tendency to rob the Protestant Clergy. And this Fallacy is called by the Logicians, *Di falso supponit*,*

By transplanting them to Hungary, with a solemn promise of providing Settlements and Churches for them in that Kingdom; which was not performed.

† “ An Insurrection had broken out in the South of Ireland: The Insurgents were in general professedly Roman Catholics, as they might have been, if of any religion at all; as, from the prevalence of the Roman Catholic Religion in that part of Ireland, the few of other persuasions in the rank of Insurgents, could scarcely dignify their riots with the name of Insurrection.—The Insurgents were mostly Roman Catholics.” *Butler's VINDICATION*, p. 3. & 13.

BISHOP OF CLOYNE.

MR. O'LEARY.

—*A false supposition, &c.*
[and strongly illustrated by
Mr. O'Leary in this very
passage; unless his *Writ-
ings* can be construed into
an *Insurrection of Catholics.*]

—The late Empress Queen
was neither *cruel* nor *per-
fidious*—Her Protestant sub-
jects of *Hungary* [i. e.
such as were not rooted
out] flocked to her Ban-
ners; and as a reward of
their loyalty, she repealed
the restrictive laws which
former Sovereigns had en-
acted. As a *proof* of her
fidelity to her promise, she
ordered her Son's *picture* to
be hung up in their Houses
of worship, making it *high
treason* to molest them in the
exercise of their Religion.

But, we need not wonder at the shameless
Misrepresentations of the Bishop of *Cloyne*,
which teem throughout the *DEFENCE*, from
whence these Extracts are taken (I will
venture to say) accurately, both as to
words and argument—when Mr. *O'Leary*
does not spare even *himself*.

Mr.

MR. O'LEARY.

I hope that this [second] Address will deserve your attention, as it gives the Sanction of Religion to the Maxims of Prudence laid down in that Gentleman's writings (viz. A Protestant Layman, The *Dublin Shop-keeper*.) I am confident, that many of You have been misled by your ignorance of the Laws; and, that *as these disturbances originated in the dues of the Clergy*, you did not foresee the consequences to Yourself. That Gentleman's letters deserve your most serious attention, as he explains all the Laws which *hang over You*.

DEFENCE, p. 158.

MR. O'LEARY.

In order to expose me to the detestation of the Clergy of the Established Religion, he [the Bishop] attributes the following words to me: *These disturbances originate in the dues of the Clergy*.—I never wrote nor made use of such words. I am sorry that the Lord Bishop of Cloyne has put it in my power, to answer the charge with a flat contradiction.

DEFENCE, p. 78.

I will ask the Reader, to *whom* he thinks the observation of Mr. O'Leary applicable, which ushers in this last charge against the Bishop of Cloyne?—"His Lordship's Letter verifies the words of St. Paul: *wherein thou judgest another, thou condemnest thyself*."—And what are we to think of the "high *Eulogiums*" pronounced *even* in a great *National Assembly*, upon Mr. O'Leary:—"A
" gentleman

“ gentleman of great simplicity and innocence of manners—a zealous friend of his Country, and a writer of *First rate Abilities*—who never *obtruded* himself upon Public notice, but in the cause of the Country, or defence of his own injured Honour.”—I will venture, without scruple, to pronounce them, *A Libel on the Taste and Literature of the Kingdom*—to say no worse.

I now dismiss this work, with a well-grounded, though a fearless presentiment of the fate that awaits it—For, when a General Officer has been so cruelly *mangled* by the Enemy, how can the Subaltern flatter himself to escape without a *Scar*?—To the **CANDID** and **WELL-INFORMED** I consign it for protection. — *Paucis hujusmodi Lectoribus contentus.*

Trinity College, Dublin,

April 23, 1787.

INTRODUCTION.

TO THE REV. DOCTOR BUTLER, &c. &c.

REVEREND SIR,

WHEN an Ecclesiastic of your respectable and amiable character, animated, I will suppose, by a generous, but perhaps *too impatient* zeal, for the support of those principles in which you have been trained, has, in a late Publication *, thought fit to appeal to the impartial tribunal of the Public, against, what you are pleased to term, “ The *unjust* and *false* strictures “ *so confidently* made by the Bishop of Cloyne “ against the sincerity of the oaths of the Roman “ Catholic Bishops;” permit me to solicit your attention, whilst I arise in vindication of a Prelate, whom I have long esteemed and revered as a bright and distinguished ornament of our Church and State; of whom my admiration has been considerably heightened by a production, singularly unhappy in incurring your *decided censure*, though already stamped with the public *imprimatur* upon its eighth edition; and in whose character, if there be any prominent feature, it is (as his inti-

B

mates

* Doctor Butler's Letter to Lord Kenmare, bears date December 27, 1786. It was printed, as I am informed, at Kilkenny, but was not published in Dublin 'till the end of January.

mates can attest) *conscientious* and *unaccommodating* sincerity.

2. I will not, indeed, question “ *your* inviolable attachment to your Oath of Allegiance [to the King], *your* lively sense of what you owe your character, *your* sincere wish to preserve and promote that long-desired mutual confidence which has happily begun (and permit me to add, will, I trust, continue) to warm and link in social union the minds of persons of different persuasions.” God forbid! All these, I will most chearfully admit.—But, still, I am free to question your reasoning in general, and the validity of your arguments; and also, to draw forth from the shade some *unconstitutional* tenets of your Church, not hitherto *formally disavowed*. We are taught by the Apostle of our common Lord, in the first instance, TO PROVE ALL THINGS, and then, rejecting the rest, TO HOLD FAST THE THINGS THAT ARE GOOD. Such is the glorious liberty that breathes in and throughout the Gospel! And in conformity therewith, the Sixth Article of our Religion, *truly golden, and worthy of the most careful preservation,—vere aureus, cedroque dignus*, declares: *Holy Scripture containeth ALL things necessary to salvation; so that whatsoever is not READ therein, nor may be PROVED thereby, is not required of any man that it should be believed as an Article of Faith*. And genuine Philosophy, disclaiming all implicit credence to Authority, goes hand in hand with the Gospel and Faith we profess, and informs us: *that Collision of opinions upon any controverted point, is the surest mode of striking out the electric fire of truth*. And surely, if we conduct the process of the experiment with due precaution

caution and circumspection, our labour will be amply rewarded even by the *discovery itself*. It is a saying recorded of Plato, no less strictly just, than beautiful and sublime, “ The very *form* in-
 “ deed, and as it were the *face* of WISDOM, we
 “ see [and admire ;] who, if discernible by [mor-
 “ tal] eyes, would excite loves of *herself* incredi-
 “ ble.” * Such refined Bliss, compared with which all the pleasures of this life are dross, is reserved for those purer Spirits who see GOD ! And *Plato’s* admirer and ingenious imitator, a former pious and patriotic Bishop of *Cloyne*, one of the brightest luminaries of the University of which he was a member, *Berkeley*; in his *Dialogues*, observes: that “ *Truth and Beauty* are in this alike—the
 “ nicest survey sets them both off to advantage;
 “ whilst the *False Lustre of Error and Disguise*,
 “ cannot bear being reviewed, or too nicely in-
 “ spected.”

* “ *Formam* quidem ipsam, Marce fili, & tanquam *faciem*
 “ HONESTI vides; quæ, si oculis cerneretur, mirabiles amores
 “ (ut ait *Plato* SAPIENTIÆ) *sui* excitaret.”

Cicero De Offi. L. 1. § 5.

This ingenious emendation of the text we owe to Bishop *Pearce*. It is supported by a parallel passage—“ *Oculorum*,
 “ inquit *Plato*, est in nobis sensus acerrimus, quibus SAPIEN-
 “ TIAM non cernimus; quam illa ardentes amores excitaret sui
 “ si videretur.” *De Fin.* L. 2. § 16. I have subjoined this note merely to guard against the suspicion of mistranslation.



P A R T I.

OF THE ROMISH EPISCOPAL OATH, TAKEN
AT CONSECRATION.

3. **I** SHALL proceed, without farther preface, to observe, that you seem at your outseting to have misconceived both the Bishop's *argument* and *intention*. Far from designing to "undo all that" has been done in favour of Roman Catholics," (as you suspect) when, to *effect* that all, Malice herself must allow that he took a vigorous and decided part in his legislative Capacity—Far from designing to "undermine the primary title of the" Roman Catholics to the protection of Govern-
ment and the confidence of their fellow sub-
jects," he wishes to establish both upon the broad and firm basis of *mutual* confidence: and like the humane and skilful surgeon, in applying the probe to a wound, which if neglected might rankle, and end in a Gangrene; though he pains, yet he saves the Patient. I too, with a similar intention, will reinsert the probe, and endeavour to reach the bottom of the sore; however my patient's feelings, and my own, may suffer in the operation. And his Lordship's argument applies, principally, to the apparent difficulty of so framing a *new* Oath of Allegiance to the Crown, or modifying that now in use, as to comprehend and embrace

embrace the whole of the Constitution both civil and ecclesiastical, and yet, accord with the Oath taken by every Popish Prelate at consecration; several clauses of which strongly militate against his *inculcating* (if necessary, and surely it is most necessary) the obligation of such Oath of Allegiance, calculated to *perpetuate* (what he must needs think) Heresy. But let us listen to the Bishop himself——“ We may judge (says he) what *will* “ *be* the doctrines of the (Titular) Bishops, by “ the Clauses of their Oath at Consecration, &c.” Or, as he has more fully expressed himself, (in his latter Editions, p. 30, in order to guard against a similar misconception in future) “ If a *new* “ Oath were required, which comprehended the “ *perpetual* establishment of the Protestant religion, we may judge what would be the doctrine “ of the (Titular) Bishops on *such* an engagement, “ from the Clauses of their Oath at Consecration, &c.”

4. In attempting to remove this stumbling block, you observe: “ As to the Oath taken by “ the Roman Catholick Bishops at their consecration, and printed in the *Roman Pontifical*, “ which *Doctor Woodward* brings forth as an “ *auxiliary* proof [to the Nuncio *Ghilini's* Letter] “ how little our Oaths of allegiance are to be “ depended on; I shall just observe, that his Lordship has intirely misconceived both the *intention* “ and *words* of the Oath. A *little* reflection would “ have made his Lordship sensible, that said Oath “ is *by no means inconsistent* with the Subject's allegiance to his *Prince*:——For, every *discerning* “ person cannot but know on the *least* reflection, “ that none of US, (to make use of the *very* “ words of the *great Bossuet*, Bishop of Meaux) “ ever



“ ever engage ourselves by this Oath to any thing
 “ that is contrary to our Conscience, or the ser-
 “ vice of our King and Country : Far from think-
 “ ing we prejudice *any* of these, it is even ex-
 “ pressed in the Oath, that we take it *without*
 “ *prejudice to our State—Salvo meo ordine.* The
 “ submission which is sworn to the Pope in Spi-
 “ rituals is of a different order from what we
 “ *naturally* owe our Prince in Temporals ; and
 “ without protesting, we have always well under-
 “ stood, that one does not interfere with the
 “ other.—So far that learned and judicious Pre-
 “ late :”—And hence, you conclude with no small
 air of Triumph : “ The SALVO MEO ORDINE re-
 “ moves *all* fear of the Oaths injuring the allegi-
 “ ance due to other Princes.”

In order to give your argument its full force,
 I shall subjoin the *very* words of *Bossuet** to which
 you refer. “ Qui de nous pretend s’engager par
 “ ce serment a rien qui soit contraire a sa consci-
 “ ence, ou au service de roi & de son etat ? Loin
 “ qu’on pretende prejudicier a ces choses, il est
 “ même exprimé dans ce serment, qu’on le fait
 “ sans prejudice des droits de son ordre—*salvo*
 “ *ordine meo.* La soumission qu’on jure au Pape
 “ pour le spirituel, est d’un autre ordre que celle
 “ qu’on doit naturellement a son prince pour le
 “ temporel ; & sans Protestation nous avons tou-
 “ jours bien entendu que l’une n’apporte point
 “ de prejudice à l’autre :”—I shall take the li-
 berty, however, of adding the remainder of the
 sentence, in the middle of which you broke off—
 “ Mais enfin, ou ce serment est une illusion, ou
 “ il oblige a reconnoitre la puissance Spirituelle
 “ du Pape.” “ But in fine, either this Oath is
 “ an

* Histoire des Variations, L. 7. § 11.

“ an illusion, or it obliges to recognize the spiritual power of the Pope.”

5. The force of your argument in this quotation, rests intirely upon your construction of the term *ordo*; in which you neither do justice to the word itself, nor to *Bossuet*, whose very words you profess to give. He says, “ Sans prejudice des droits de son ordre.” This you render, *without prejudice to our State*, i. e. Government: instead of, *without prejudice to the rights of his Order*. Where, please to observe, that *Bossuet* speaks of the rights or privileges (*droits*) not the duties (*devoirs*) of the Episcopal Order; under which latter class, *allegiance* to the Government is more properly classed. Besides, *Bossuet*, speaking of the Government just before, expresses it by a different word—*etat*. But unluckily, your argument requiring that *ordo* should signify, the Government of the Country wherein you live, the stubborn word *order* is discarded, to make way for the more obsequious term *State*.—Is this mode of translation perfectly consistent with the boasted “ conscientious sincerity of Roman Catholic Bishops?”

6. To judge truly of *Bossuet's* meaning in this passage, we should know the *occasion* upon which it was introduced. He introduces the passage by informing us, that *Cranmer*, having been appointed by *Henry VIII*, in the year 1533, to the See of *Canterbury*, vacant by the death of *Warham*, scrupled taking the customary oath to the Pope at his consecration, until he had previously made a formal *Protestation* (see *Appendix*, No. I.) against his being bound by this oath to any thing contrary to his conscience or his allegiance to the King and State: *A clear and decisive proof, that this unquestionably*

questionably learned Prelate, did not understand the clause *Salvo Ordine meo* in Doctor Butler's acceptance. Fortified with this protestation as an antidote against the noxious tendency of the oath, *Cranmer* no longer hesitated to take the oath, (as he thought) with a safe conscience: But in this (it seems) he was egregiously mistaken, according to the decision of your Oracular *Bossuet*, which immediately follows the above passage: "*Le nouvel archevêque*" "*la [puissance Spirituelle] du pape reconnoit donc,*" "*quoiqu'il n'y crût pas.*" "*The new Archbishop*" "*then recognised the Pope's Spiritual Authority,*" "*although he did not believe in it.*" And how is this proved? Because "*either this oath is an illusion, or it obliges to recognize the Spiritual Power*" "*of the Pope.*" Thus, does this subtle adversary of Protestant faith, who whispers *illusion* into the ear of the unwary listener, when touched with the pointed spear of Truth, start up into his proper shape, and confess—*That a protestation of allegiance to his Prince, strong and express as that of Cranmer's, does not acquit him of the charge of insincerity, but is swallowed up and lost in the gulph of the Pope's spiritual authority!* How to reconcile this procedure of *Bossuet*, with his elaborate Vindication of the Rights of the Gallican Church, against *Papal* usurpation; surpasses my skill—I leave it to Doctor Butler's; who is bound in honour at least, if not in conscience, to extricate his master from this difficulty, into which he himself (however unwittingly) has plunged him.

7. The passage which immediately follows in your Letter, is pregnant with interesting consequences—I shall therefore give it at length. "*The*" "*Oath itself was only taken, at the beginning, by the*" "*Bishops of the Pope's Ecclesiastical Territories;*" "*who, from being subject to the Pope as a Temporal*" "*Sovereign,*

“ Sovereign, swear [swore] fealty to him both in
 “ Spirituals and Temporals; which is [was] not the
 “ case with Bishops who do [did] not belong to
 “ the Pope’s dominions : And *hence*, when a desire
 “ of conformity with the Bishops that are [were]
 “ immediately subject to the Pope ; made it *by de-*
 “ *grees*, customary for the Roman Catholic Bishops
 “ throughout the whole world, to take *said* Oath
 “ at their consecration : They all took care to pro-
 “ fess *plainly and publicly*, by the clause SALVO
 “ MEO ORDINE, that they did not bind themselves
 “ down to any thing in *said* Oath, but in as far
 “ as it was compatible with the situation of every
 “ Bishop under their respective Sovereigns, and
 “ the duty he essentially owes to them.”

8. From this passage it is clear, in the first place, that whereas *Bossuet* only laboured to establish the Pope’s jurisdiction in *Spirituals*, you proceed a step farther, and recognize it in *Temporals* also ; thus proving, what has been so often and so reasonably objected to your Church, the actual existence of an *imperium in imperio*. For, if the Bishops in the Pope’s *Territories* swear fealty to him both in Spirituals and Temporals ; and if the Roman Catholic Bishops *all over the world* imitate their example in taking *said* oath ; the inference is obvious—*They* also swear fealty to him both in Spirituals and Temporals : unless an *Italian* and an *Ultramontane* Bishop take the same oath in different senses ; —a supposition altogether inadmissible.

9. And indeed, this concession of your’s is perfectly agreeable to the decisions of your *Popes*, *Councils*, and *Canons*. I shall produce a few instances out of a multitude.

Pope *Innocent III*, who was elected in the year 1198, preaching on the subject of the consecration
 of

of a Pope, thus states his plenary jurisdiction with great complacence:—"He therefore who hath the
 " Bride is the Bridegroom. But this Bride [the
 " Church] hath not been married without a dower:
 " er:—She hath brought me a dower of inestimable value; namely, a plenitude of Spirituals,
 " and a latitude of Temporals, a magnitude and
 " multitude of both: For, the rest of the Apostles were called to a share of the trouble, but
 " *Peter* alone was advanced to a plenitude of
 " power. In token of Spirituals, she conferred
 " on me a Mitre; in token of Temporals, she gave
 " me a Crown: The mitre for priestly power, the
 " crown for regal: constituting me his Vicar, who
 " hath written on his thigh, King of Kings and
 " Lord of Lords, a priest for ever, after the order
 " of *Melchisedec*."

In the same discourse, he thus states his pretensions to infallibility: "The Roman Church
 " may dismiss the Roman Pontiff on account of
 " Fornication. I do not mean Carnal fornication,
 " because the wedlock is not carnal but spiritual;
 " I mean, on account of Error of Infidelity.—
 " However, I cannot easily believe, that God
 " would permit the Roman Pontiff to err against
 " the Faith, for whom he prayed spiritually, in
 " the instance of *Peter*: I, says he, *have prayed*
 " *for thee, Peter, that thy faith fail not: &c.*" A
 most fallible text indeed to found his infallibility
 upon! *Gregory* quite passes over the introduction
 to it: "*And the Lord said: Simon, Simon, behold*
 " *Satan hath desired to have you, that he may sift*
 " *you as wheat: But I, &c.*"

The reader will find an extract from this Sermon, *Appendix*, No. II.

10. A century after, *Boniface VIII.* clearly defined his notion of Papal Jurisdiction, in the following terms :—" That the SPIRITUAL POWER, is superior in dignity and nobility to ANY EARTHLY POWER, we must the more clearly acknowledge, inasmuch as Spirituals excel Temporals.— For the Truth itself bears witness, that the Spiritual power hath the province of regulating the earthly power, and of judging, if it be not good. Thus is verified, concerning the Church and Ecclesiastical Power, the prophecy of *Jeremiah* : c. i, 10. *See, I have this day set thee over the Nations and over the Kingdoms ; to root out, and to pull down, and to destroy, and to throw down, to build, and to plant.* Therefore, if the Earthly Power go astray, it shall be judged by the Spiritual Power ; and if an inferior Spiritual power go astray, it shall be judged by its proper Superior ; but if the Supreme, it can be judged by God only, not by man. So the Apostle witnesses : *The Spiritual man judgeth all things, but he himself is judged of no man.* 1 Cor. 2, 15. This authority, although granted to a *Man* and exercised by a *Man*, is not human, but rather divine, given by the mouth of God to *Peter* himself ; and on him and his successors, through Christ himself whom he confessed, was the Rock established : The Lord, saying to *Peter* himself : *Whatsoever thou shalt bind on Earth, shall be bound in Heaven ; and whatsoever thou shalt loose on Earth, shall be loosed in Heaven* *. Matt. 16, 19. *Whosoever there-*
fore

* This Scriptural Foundation of the Pope's Supremacy was not acknowledged by the Fathers of the Primitive Church.— *St. Augustine* Bishop of *Hippo* in *Africa*, discoursing on these words : *Thou art Peter, and upon this Rock of thy confession* *I will*

“ *fore resisteth this power, so ordained of God,*
 “ *resisteth the ordinance of God: (Rom. 13, 1 & 2.)*
 “ Except he imagine, like *Manichæus*, that there
 “ are two principles: which we judge false and
 “ heretical; because, as *Moses* witnesses, not *In*
 “ *the beginnings*, (*principiis*) but *In the beginning*
 “ (*principio*) *God created the Heaven and the*
 “ *Earth.*

“ Moreover, we say, determine, and pronounce,
 “ that *Every human creature is subject to the Roman*
 “ *Pontiff, as of absolute necessity to Salvation.*”
 “ GIVEN at the Palace of *LATERAN*, in the
 “ eighth year of our *Pontificate.*

And the beginning of the letter corresponds with
 this tail piece: “ That there is one Holy Catholic
 “ and Apostolic Church, we are compelled, by the
 “ urgency of the faith, to believe and to hold.
 “ And we firmly believe, and with simplicity con-
 “ fess: that *this* is the Church, *out of which there*
 “ *is neither Salvation nor remission of Sins: The*
 “ *Bridegroom in the Canticles* (c. 6, 9) proclaim-
 “ ing: *My Dove, my Paragon of Perfection is one,*
 “ *she*

I will build my Church, adds: “ *Super me edificabo te, non me*
 “ *super te:*” “ Upon me will I build thee, not me upon thee.”
De Verb. Domini cr. 13. And the remainder of our Lord’s
 declaration to Peter, which forms the main pillar of Papal Su-
 premacy, is thus judiciously explained by the Learned *Rigalt*,
 Editor of *Cyprian’s Works*. Paris, 1648, Annot. p. 148. “ He
 “ said to Peter, *I will give thee the Keys*, &c. but he did not
 “ say, *I will give them to thee alone.* We learn from St. John,
 “ that he actually gave them after his resurrection; and that he
 “ gave them to Peter indeed, not to him by name, but to all
 “ the Apostles assembled together. These are the words of
 “ Christ:—*As the Father hath sent me, so I send you; whose sins*
 “ *ye shall remit, they are remitted unto them.* What therefore he
 “ promised that he would give Peter, he gave to all the Apo-
 “ stles; and so to Peter [inclusively].”

How different were the Sentiments of *Innocent* and *Boniface*
 from those of one of the greatest and best of the Roman Pon-
 tiffs, *Gregory*; the curious Reader may see: *Appendix*, No. IV.

“ *she is the only one of her Mother, the elect of her that bare her,*” &c. which represents one mystical Body, of which Christ is the Head, and of Christ, God. &c.

11. I have inserted in the *Appendix*, No. III. the whole of this extraordinary letter; to which I shall again have occasion to refer. It is found in that *Code* of the *Canon Law*, by which, every *Romish Prelate* at *Consecration* promises to regulate his faith, subjection and obedience to the Pope. Q. *Wilt thou shew forth in all things thy faith, subjection, and obedience to the Blessed Apostle Peter, to whom was given by God the power of binding and loosing; and to his Vicar our Lord N. the Pope N. and his successors the Roman Pontiffs: according to Canonical Authority?* A. *I will.*—The Council of *Constance*, in their formal condemnation of *Wickliff's Doctrines*, *Article 38*, attribute the same authority to the *Decretals*, as to the *Epistles* written by the *Apostles*.

And this is a point which I urge with more assurance upon *Mr. O'Leary's* authority, in his *modest, candid, and conciliatory DEFENCE*. p. 111.

“ The Catholic Creed (says he) is the same all over the World. An *Irish peasant* believes neither more nor less than a *Fenelon* or *Bossuet*.—Because the *Catholic Clergy* of *Ireland* do not chuse to change their Creed, does the Lord Bishop of *Cloyne* imagine that they are so ignorant as to confound a *Legate's letter*, or a *Pope's decree*, with the *Doctrine* of the Catholic Church? History informs them, that a Pope was excommunicated after his death, on a suspicion of having favoured the doctrine of the *Monothelites*; that Pope *John XXII.* was obliged to retract the doctrine which he preached at *Avignon*, where he

“ he asserted, that the souls of the Saints were
 “ not to enjoy the beatific vision, or the clear sight
 “ of God, before the last judgment ; and that
 “ Popes were deposed by a Council (1) to put an
 “ end to disorder and schism. The Pope’s infalli-
 “ bility then, can be no part of their creed. They
 “ acknowledge him as the head pastor of their
 “ religion : But the pasturage, on which he is to
 “ feed the flock, is not at his choice. The boun-
 “ daries are prescribed : and under the controul of
 “ UNALTERABLE FAITH, and the UNIVER-
 “ SAL CANONS of the Church ; he would not
 “ dare to remove the landmarks (2).

But

(1) In 1409, the Council of *Pisa* deposed two Popes ; *Benedict XII.* and *Boniface IX.* and the council of *Constance* in the year 1412 deposed three ; *John XXIII.* and the two anti Popes, *Benedict XIII.* and *Gregory XII.* “ It is a maxim of the *Canon Law*, (admitted we see by *Innocent III.* in the quotation above) that a Pope cannot be deposed for any cause except Herefy : Therefore, when a Pope is to be deposed, he must be convicted of Herefy some way or other. The Canonists for this reason, lay down several cases which contain what they call *Herefy implicit* ; such as Schism, Simony, obstinate persisting in any sin.” See an excellent and concise *Abridgment* of the History of the Council of *Constance*, by the ingenious Doctor *Lefanu*, Dublin, 1780, p. 37.

(2) With the Opinion of Mr. *O’Leary* on this point, I shall contrast those of some modern Writers of his Communion.

1. MR. O’LEARY.

“ Mr. *O’Leary*—does not believe the Pope’s infallibility :
 “ much less will he place infallibility in the Bishop of Cloyne’s
 “ oracles, when he delivers them from his tripod.” *Defence*,
 p. 59.

Doctor *Burke*, in his *Hibernia Dominicana*, who certainly was a man of literature, to whose authority I shall frequently have occasion to appeal in the course of this work, and whose

12. But while Doctor *Butler* is generously labouring to support the edifice of Papal Jurisdiction,

whose Character I shall vindicate from the Aspersions thrown on it—thus delivers his Opinion on the same Point. p. 167.

2. DOCTOR BURKE.

Et sane si Romanus Pontifex, &c. “ And indeed if the Roman Pontiff who is head of the Church, was not infallible in deciding questions of faith, the Synagogue would be better off than the Church; for in that, there was one Supreme Pontiff who infallibly determined all controversies arising about the Law: And so, the Handmaid the Synagogue would be better provided for than the Spouse the Church; &c. which is of all absurdities the greatest.”

“ The Pontiffs infallibility appears clearer than noon day, from the ancient practice of the Church: For several doctrines were condemned as heresies, and declared so by the Roman Pontiff solely, without convoking a general council; which nevertheless were held as heresies by the whole Church. Inasmuch as the Church for 325 years after Christ (until the council of *Nice*) stood unshaken without general Councils:” See the authorities he quotes. — “ General Councils themselves also, most openly maintain the infallibility of the Roman Pontiff.”—Among the authorities which he adduces, are the following.—“ The fathers of the *Ephesian* Council, A. D. 430, write: *That by the letter of S. Celestine the Pope, a sure Opinion and rule of Faith was prescribed to them; and that they only perfected the decision of Rome.* In like manner, when the letter of S. Leo was read in the Council of *Chalcedon*, A. D. 451: The Bishops with one voice cried out: *This is the faith of the Apostles; he that believes not this, is Anathema.—Peter spoke by Leo.—Let the parties suspected subscribe Leo's Epistle; he who subscribes not is an Heretic—*And further, the Epistle of *Adrian I.* was held by the 7th Council A. D. 789, *tantum divinus Orthodoxia terminus*, as the divine Boundary of Orthodoxy. Upon its being read, before either TRADITION was produced, or any thing done towards deciding the Controversy of faith; the Fathers eagerly burst out into these expressions: *Tota Sacratissima Synodus ita credit (nempe sanctas imagines esse venerandas) ita sapit, ita dogmatizat.* The entire most sacred
“ Synod

tion, now tottering throughout Europe; he inadvertently demolishes his own interpretation of
ordo.

" Synod, believes thus (namely that Holy images were to be adored) judges thus, affirms thus."—" In fine, the Fathers of the 8th Synod, A. D. 870, declared: " We pass no new judicial sentence on him (*Photius*) but what was formerly pronounced by the most holy Pope Nicholas and his successor Adrian—*quam nequaquam possumus immutare,* " which we can by no means change."—Was it possible, for a Synod to launch out into more illustrious testimonies in favour of the Pope's infallibility?"

" Nor is the contrary opinion, which asserts that the Roman Pontiff is not infallible without a general council, adopted by the whole Gallican Church, *ut quidam vel decepti, vel decipere volentes in vulgus spargunt,—as some persons, either deceived themselves, or wishing to deceive others, disseminate among the vulgar.* For besides *Aquinas*, the Sun of the *Parisian* University, and all the Ancients, the very celebrated Doctor *Duval*, nearer our own times, [and who died in 1634] thus delivers his suffrage: (Part. 1. Quest. 2.) " That the promises of Christ for the privilege of Infallibility passed to the Roman Pontiffs, St. Peter's Successors, the whole number of Catholic Doctors (a few excepted) teach—*Unde POTEST Pontifex ABSQUE SYNODO pro sua potestatis MONARCHICÆ plenitudine, errores IRREFRAGABILITER damnare. Atque hanc, velint nolint adversarii, liquido VETERES Ecclesiæ Gallicanæ Proceres in summis Pontificibus INFALLIBILITATEM semper agnovisse.*—" From whence it follows, that the Pontiff may, through the plenitude of his MONARCHICAL power, condemn errors irrefragably, without a Synod, and that this infallibility is vested in the supreme Pontiffs, whether our adversaries will admit it or not, the ancient Dignitaries of the Gallican Church always acknowledged."—" And truly, a fragment of a letter, which the Convention of the Bishops of France, held at Paris, July 15, 1653, sent to Pope *Innocent X.* who, at the request of several of the Gallican Prelates, had by his authority proscribed the *Jansenian* Heresy; makes in favour of this point. In it they thus address the supreme Pontiff:

—" This Doctrine was restored to its pristine lustre, according to the primitive rule of Faith, by means of a decree
C " passed

ordo. For, when he admits that the oath is taken with this clause, by a Bishop in the Papal Dominions ;

“ passed by your Holiness, at the request of several Gallican
 “ Prelates. In respect of which matter, a remarkable circumstance happened : That as *Innocent I.* formerly condemned the *Pelagian* Heresy, to satisfy a requisition of the
 “ Bishops of *Africa* ; so, to satisfy a consultation of the Gallican Bishops, *Innocent X.* by his authority, proscribed a
 “ Heresy parallel to the *Pelagian*.—We, therefore, indued with the same opinion and faith, and cultivating with due
 “ reverence the present authority of the Roman Church, which flourishes in the supreme Pontiff, *Innocent X.* will take
 “ care, that the constitution framed—*Divini numinis instinctu*, through the inspiration of Divine power, by your Holiness,
 “ and delivered to us by the most illustrious Bishop of *Athens*, apostolical Nuntio, shall be published in our Churches
 “ and Dioceses : and we will urge the execution of it to the Faithful.” These are the words of a Gallican Bishop, which the most eminent Cardinal *Gottio* severally and excellently discusses : *Tract. de locis Theolog.* p. 3. Dub. vi. Num. ix.

“ Nor does the famous *Cornelius Jansen*, Bishop of *Ypres*, dissent from this common opinion of Theologians. Who, treating of that declaration of *Christ* to *Peter*, *Luc. 21. Confirm thy Brethren*—has these words :—“ Because confirmation of the Brethren appertains to the office of a Pastor, and ought, therefore, to be perpetual ; hence, *Christ*, according to the sentiments of the ancients, obtained for him
 “ (*Peter*) another privilege also, to be propagated to his successors—*ut videlicet tanquam caput Ecclesia, nec ipse, nec successores ejus in docenda vera fide deficerent*—namely, that, as head of the Church, neither might he himself, nor his successors fail in teaching the true faith : according to this declaration of *Leo*, *Serm. 3.* of his assumption to the Pontificate : *In Petro omnium fortitudo munitur*, *In Peter is the fortitude of all established.* And that other of *Bernard*, *Epist. 190.* to *Innocent* : *Dignum arbitror, ubi potissimum resarciri damna fidei, ubi non possit fides sentire defectum.* “ I think it fit that the injuries of the Faith should be there principally repaired, where Faith cannot perceive
 “ a defect.”

• But

nions ; surely in this case, the clause, in his sense of, *without prejudice to my state*, would be nugatory or absurd.

‘ But although these are the sentiments of *Jansen*, his disciples, affecting to be above their master, I mean the *Jansenists*, tenaciously defend the contrary opinion. “ *Sed quod magis novere dolendum est, & nunquam satis deplorandum, eorum opera, suspecta id genus sententia, usque a non multo tempore, transvehta sunt in HIBERNIAM, ubi Catholica religio & observantia erga Romanam Ecclesiam purior & sine macula ac ruga conservata fuit.* ‘ And what is chiefly to be lamented, and never to be sufficiently deplored, by their means, suspected opinions of that sort, not very long since, were transported into IRELAND, where the CATHOLIC RELIGION, AND OBEDIENCE TO THE HOLY ROMAN CHURCH WAS PRESERVED MORE PURE, AND WITHOUT SPOT AND WRINKLE :” says the most excellent Apostolical Nuncio at *Brussels*, *Silvius Valenti-Gonzaga*, Arch-bishop of *New Casarea*, (afterwards S. R. E. Chamberlain, and President of the S. Congregation de propaganda fide) in his letter to the four Archbishops of *Ireland*, Sep. 9. 1733. At the conclusion of which, among other things—“ *rogat obtestaturque ut nulli omnino detur locus CATECHISMO nisi ROMANO, CUI USQUE ADHUC INDESINENTER FIDES HIBERNA SE CONFORMAVIT, TAM STRENUE QUAM GLORIOSE.* He intreats and beseeches, that no other CATECHISM but the ROMAN be admitted, to which HIBERNIAN FAITH HAS HITHERTO WITHOUT CEASING CONFORMED ITSELF, AS STRENUOUSLY AS GLORIOUSLY.”

Between these contradictory opinions of Mr. O’Leary and Dr. Burke, on this point, the acute Mr. Carrol, in his *Address to the Roman Catholics of the United States of America*, reprinted at *Worcester* in 1785, steers a middle course : p. 49.

3. MR. CARROL.

“ When I met with this argument (*That all Roman Catholics are bound to admit an infallible authority, yet few of them agree, where, or in whom it resides*) in the writings of Opponents little acquainted with our principles, (of whom there are many) it has not surprized me ; but that the Chaplain [Mr. Wharton, who had conformed to the Protestant Church from Popery] should likewise insist upon it,

absurd. It may perhaps be objected, that the clause did not subsist in the episcopal oath *at first*, but

“ [in his *Letter to the Roman Catholics of Worcester*] is really
 “ matter of astonishment ; for *he* must know, that in the
 “ Doctrine which we teach as belonging to Faith in that point,
 “ and as an article of Communion, there is *no variation* ; and
 “ with all his reading and recollection, I will venture to as-
 “ sert : that he cannot cite *one Catholic Divine* who *denies*
 “ infallibility to reside in the *body of Bishops uniting and agree-*
 “ *ing with their Head the Bishop of Rome*. So that when the
 “ Chaplain says : that *some schoolmen have taught the infallibility*
 “ *of the Pope—some, place it in a general Council—others, in the*
 “ *Pope and Council, received by the whole Church* : he is under
 “ a great mistake. For the *last* is not a mere opinion of School-
 “ men, but the constant belief of all Catholics : *A belief in*
 “ *which there is no variation*. Some Divines, indeed, hold the
 “ Pope, as Christ’s Vicar upon Earth, to be infallible even
 “ without a Council ; but with this opinion Faith has no con-
 “ cern : every one being at liberty to adopt or reject it, as the
 “ reasons for or against, may affect him.

“ Nor is it only in *France*, that many of the Doctrines [re-
 “ specting the Pope’s authority] are rejected, [by the maxims
 “ and solemn determinations of the *Gallican Church* in the
 “ year 1682] which, he says, are taught *unanimously* amongst
 “ us ; but they are exploded in *every Catholic Country* in the
 “ world. The *body of Bishops every where* claim a *divine right*,
 “ in virtue of their ordination, to *interpret* the decrees of Coun-
 “ cils, and the ordinances of the Popes.”

Of these three writers, Mr. O’Leary, Doctor Burke, and
 Mr. Carrol ; in justice to Doctor Burke, who, alas ! cannot
 now write a DEFENCE, I must observe : that he seems to have
 a fairer claim to the reader’s confidence, *on this point*, than either
 of his companions. He writes to Papists, [to Ecclesiastics,
 principally] and, like an honest man, gives his reasons, though
 “ he clothes them” indeed, by way of concealment from the
 eyes of the *profane*, “ in the long *Roman dress*” (which Mr.
 O’Leary so much admires). They write to Protestants, and
 deal in hardy assertion, without proof.

In order to contribute *my mite* towards settling this still moot
 point, I will state the following Extracts from the Councils of
Basil and Constance : “ Which—ascribe *infallibility* to the *Body of*
 “ *Bishops legally assembled in a general Council, as representatives*
 “ of

but was introduced afterwards, when it came to be taken by *foreigners*. But I find the clause inserted in

“ of the Universal Church—adjudge any person a *Heretic*, who
 “ imagines that a general Council can possibly *err* in matters re-
 “ lating to *faith* or *good morals*—and assign as a reason thereof;
 “ that if this *pernicious error* were admitted, the *whole Catholic*
 “ *faith must totter*, nor could there be any certainty in the
 “ Church; because, admitting that *one* General Council could
 “ err, by the same rule, *the rest* also might err.”—Nec quisquam
 illud dicere præsumat quod aliquod generale Concilium legitime
 congregatum errare possit, quia si hic *perniciosus error* admitteretur,
tota Fides Catholica vacillaret, nec aliquid certi in Ecclesia habe-
 remus, quia qua ratione errare potuit unum, possint errare & re-
 liqua Concilia. *Basil* apud *Binn.* T. 8. p. 128. *Hæreticum*
 illum fateri debetis, qui putat Concilium generale in his quæ ad
fidem seu *bonos mores* pertinent, posse errare. p. 135.—*De Hæresi*
suspectum rogari vult Concilium *Constantiense*, utrum credat quod
 sacrum Concilium, *universalem Ecclesiam representans*, approbat
 in favorem Fidei et Salutem Animarum, sit ab Universis Christi
 fidelibus approbandum & tenendum; et quod condemnat esse
 Fidei & bonis moribus contrarium, hoc ab iisdem esse tenendum
 pro condemnato. *Sess.* 45. *Binn.* Concil. T. 7. p. 1124.

Nay, the Council of *Basil* declares it downright “ *Blas-*
 “ *phemy* to deny that the *Holy Ghost* dictated the *Sentences*,
 “ *Canons*, and *Decrees* of Councils.”—*Blasphemia* esset, si quis
 negaret *Spiritum Sanctum* dictare *Sententias*, *Canones*, & *De-*
creta Conciliorum.—*Ibid.* Tom. 8. p. 131.—But it is not my
 province,

Tantas Componere lites.

Nor, indeed, am I equal to the task—which would require
 no short life to execute; if the thing were feasible—which I
 much doubt, when we consider the contradictory decisions of
Pope against *Pope*, *Council* against *Council*, so frequent in, and
 disgraceful to the *Canons* of the *Romish Church*.

From this Sample, I submit to the *candid* Reader, and to
 every *liberal minded* Roman Catholic, (of whom I trust there
 are many among our brethren of that persuasion) what becomes
 of the boasted UNALTERABLE FAITH of the *Romish Church*?
 and where do its UNIVERSAL CANONS exist? Not on *Earth*,
 surely—perhaps in *Nubibus*, or in the *Limbus Patrum*.

I can-

in the earliest oath upon record, that of *Gregory III.* elected A. D. 731. And therefore, since the clause must evidently denote *something* different from Doctor *Butler's* acceptation, when sworn by a Bishop in the *Pope's territories*; it must also, of course, when sworn by an *Irish* Bishop. Upon these grounds, I will submit to Doctor *Butler's* second thoughts, and to the candour of the Public: Whether “the clause *salvo meo ordine* removes all “fear of the oath’s injuring the allegiance due to “other Princes.”

13. Mr. *O’Leary*, in his DEFENCE, retraces the ground of the Consecration Oath. As Doctor *Butler's* Coadjutor therefore, he is intitled to attention on my part; and I hope for a more indulgent hearing on his, from the similitude of our situations in one respect—my being as little personally interested at present, and perhaps for ever, in what he calls the *oppressive* article of Tythes, as himself. At the same time, the notice I shall take of him on this head, is rather a work of supererogation than necessity, after the judicious and concise reply that has been made to the third section

I cannot dismiss this note, which has already swelled to a considerable length, without remarking: what *presumption* it is, for any private, unauthorised Ecclesiastic, thus to *obtrude* his own notions upon the public, as “the DOCTRINE of the *Catholic Church*.” Will the Roman Catholic *Prelates*, whose province he has invaded—will the whole body of their *Clergy*, subscribe *implicitly* to Mr. *O’Leary's* CREED? I will venture, without hesitation, to answer for them in the negative. Will they not say, “That Mr. *O’Leary* is endeavouring to erect himself into an *Anti-pope*; whilst he thus disloyally, and “sacrilegiously robs his *Master* of the principal Jewel in his “Crown, and confines to himself what is common to many.”

of

of his *Defence*, by a CLERGYMAN: who has indeed anticipated several of the arguments I meant to urge.

“ Such (says Mr. *O’Leary*, p. 104, &c.) are the
 “ [five] obnoxious clauses of the Bishop’s conse-
 “ cration oath; in the midst of which is insert-
 “ ed, in express words, a saving clause, which
 “ speaks the *dignity* of Catholic Bishops, and re-
 “ conciles their *allegiance* to their respective Sove-
 “ reigns with their *canonical obedience* due to their
 “ head Pastor. *Salvo meo ordine*—(*saving my or-*
 “ *der*, as a Bishop, who receives his jurisdiction
 “ and the *right of determining on doctrinal matters*,
 “ by his consecration; and not as a Vassal or Vice-
 “ gerent, of the Pope. *Saving my order*, as a sub-
 “ ject bound to give Cæsar his due, and to pay al-
 “ legiance to the reigning powers in whose States
 “ I reside. *Saving my order*, as a minister of the
 “ Gospel, who is to preach the word.) This
 “ clause *does away every difficulty*, and leaves the
 “ Scepter in the Prince’s hands, whilst it leaves
 “ the Censer in the hands of the Pontiff.”

Thus does Mr. *O’Leary*, who accuses “ *Doctor*
 “ *Woodward*, of *translating* the Consecration oath
 “ into English, for the purpose of *perplexing* the
 “ ignorant; and leaving it *unexplained*, for the
 “ purpose of rendering venerable prelates *obnox-*
 “ *ious* to the Public:” cut this *Gordian knot*, and
 do away every difficulty in a trice!

For, 1. He adopts *implicitly*, we see, his Supe-
 riors interpretation of this mysterious clause, with-
 out a shadow of argument, save (what he calls)
 the *express words* of it. 2. With the wholesome
 leaven of this Clause, he leavens, not merely the
 article of the oath to which it properly belongs—

The

The Roman Papacy, &c. but the whole mass of obnoxious articles : whereas, Archbishop Cranmer, to make his *Protestations* sure, thought it necessary to declare, in *express words* : that he understood them as repeated and reiterated, in ALL the Clauses and Sentences of said Oath or Oaths to the Pope. (See *Append. No. 1.*) Now Cranmer, we know, had been a *Prelate reared in the Catholic Communion*, is he not then a competent voucher of the Catholic Doctrine [of Reservations] upon Mr. O'Leary's principles? And is not Mr. O'Leary guilty of garbling and mangling the Consecration Oath, by his mode of quotation, in which he totally drops the Clause *Salvo meo ordine* out of its proper article, in order to screen his misapplication of it to the rest? 3. He asserts, that " a Bishop has a " right of determining on doctrinal matters by his " Consecration." And derives from it the latitudinarian consequences : " that the Catholic " Prelates are the most competent judges of the " sense and meaning of their consecration oath ; " —and that, let the form of words be what it " may, the Bishops never take that oath in a sense " injurious to Civil Society." All this, I will venture to say, he durst not broach in any Catholic State. And the assertion upon which they are built, is subversive of the very Constitution of the Romish Church ; whose Councils, authorise the Pope, and him only, both to interpret and execute their Canons, pending the intervals of their sitting. (See the authorities adduced from the councils of Basil and Trent, and from the Decretals in the note.^a) And, indeed, not without reason. For, other-

(*) *Nos enim unum Ecclesiæ corpus sumus, & ipse [Pontifex] hujus corporis caput, sub Capite Christo : Quicquid igitur sit ab hoc*

otherwise, the power of the Church must lie dormant, between the sittings of Councils, if there were no authentic *Expositor* of its Canons, or no one authorised to *execute* them, during the said intervals. Admitting, therefore, with Mr. *Carrol*, and the *Reformed Romish Church*, founded by the *Gallican Clergy* in the year 1682, that the *Body of Bishops every where* claim the right of determining on doctrinal matters—"of interpreting the "Decrees of Councils, and the Ordinances of the "Popes—in virtue of their ordination:" yet, surely, upon the dissolution of the Council (which, during its sitting, may be considered as the Supreme *Legislative Body*) both the *Judicial* and *Executive* powers are lodged in the Pope, as the supreme *visible* Head of the Church—or no where. And must not Mr. *O'Leary's* assertion, that "a Bishop has "a right of determining on Doctrinal matters by "his consecration," meet with the decided censure of the *Reformed*, and still more of the *Ancient Romish Church*? The pious, patriotic, and benevolent *Fenelon* ^(b), Archbishop of *Cambray*, affords a melan-

hoc corpore Ecclesiastico, ab ipso magis quam ab alio corporis membro, procedere censetur. Itaque non secus Synodalia Decreta pro suo debito & honore exequi debet, ac per alios servari facere, quam si ab ore proprio dictata & promulgata essent. *Respons: Synod. Basil.* Apud Binnium. T. 8. p. 141.

Quoties aliqua de *universali Synodo* aliquibus dubitatio nascitur, ad recipiendam de eo quod non intelligunt rationem, ii qui salutem animæ suæ desiderant, ad *Apostolicam Sedem* pro recipiendâ ratione conveniant. *Decret.* Part 1, dist. 17. c. 4.

Si in his recipiendis aliqua difficultas oriatur, aut aliqua incidit, quæ ad declarationem, quod non credit, aut definitionem postulant, confidit *Sancta Synodus*, B. R. Pontificem curaturum; &c. *Synod. Trident: Sess. 25*, p. 648.

(b) The following particulars relative to the Controversy between *Fenelon* and *Bossuet*, and the Character of *Fenelon*; are curious

melancholy instance of this, in the censure and disgrace, which the influence of his rival, the imperious

curious and interesting. They are taken from a *Life of Fenelon*, in 12°. Lond. 1723, written (as it appears) by an intimate Friend.

Bossuet, in his *Verbal Process* against *Fenelon's Exposition of the Maxims of the Saints*, in the year 1699; styles the See of Rome—the Mother Church established to teach and instruct all the other Churches. He calls the Book of *Maxims* not only erroneous respectively, but absolutely heretical. *Erroneous respectively* is, it seems, an Epithet used by the Pope, to signify, that the proposition condemned, is not absolutely false or heretical, but only leaning to error.

Fenelon's adversaries accused him of advancing extravagant notions about the authority of the Church. His three principles to which exception is taken, are as follow :

1. The Approbation whether tacit or express of a plurality of the Bishops, whether assembled or dispersed, give the sacred Character of an Article of Faith to whatever Decision is made by the Roman Pontiff.

2. The Church is the only judge of the bounds of her own Authority : otherwise, every Private man would think himself entitled to contradict her decisions, under pretence that she had exceeded her just bounds.

3. The Church is as infallible in judging of sound Words as of sound Doctrine : otherwise, her infallibility would be useless. For, since it is by words only that thoughts are known, if while she thought well she spoke ill, her Canons would be more hurtful, than if she thought ill and spoke well. Hence he concludes, that we must submit to the Church (as he did in his own case most implicitly) when she condemns, not the personal and private meaning of an Author, of which she does not pretend to judge ; but the natural and obvious sense of his words.—'Tis evident, says his Biographer, from the bare proposing of these maxims, that they are natural and necessary consequences of Catholic principles. p. 184.

As such, therefore, I shall take the liberty of recommending them to Mr. O'Leary's perusal, particularly the last.—For these and suchlike maxims was *Fenelon* exiled to his Diocese ; his relations deprived of their employments ; and his friends forbid the Court.—An amiable picture truly of the Reformed Gallican Church, and its Founder, *Bossuet* !

perious and vindictive *Bossuet*, drew down upon his Book of *Maxims*, and Himself, both from the Court of *Rome*, and the *French* Government. And does not this doctrine of *mental Reservations*, tend to render *all oaths* absolutely nugatory; if they are to be interpreted, not according to the intention of the framer, or the plain obvious meaning of the words themselves, but according to *whatever may be* the intention of the swearer? And what Form of *express words* can, upon this footing, avail to bind such subtle casuists? What can be MORE ALARMING than such Doctrines? And *who is this, that darkeneth counsel, by words without knowledge?*

14. Having thus reasoned, according to the principles of *sound Logic*, *κατ' ἀπορίαν*, by *negation*, and shewn, that

No man ever loved his Country better than *Fenelon*; but he could not bear to have the interest of it pursued by violating the laws of humanity, nor to have it extolled by lessening the merit of other nations. — “*I love my Family* (said he) *better than myself; I love my Country better than my Family; but I love Mankind better than my Country.*”

The veneration in which *Fenelon* was held, was not confined to the *French* army alone, [during the war of the *Allies*; in which his See-house at *Cambray* was quite an Hospital, for the sick and wounded officers and soldiers of the *French* army] he was no less respected by the *Enemy*. The Duke of *Marlborough*, Prince *Eugene*, and the Duke of *Ormond*, prevented him with all sorts of Civilities. They sent detachments to guard his meadows and his corn—they caused his grain to be transported to *Cambray*, lest it should be seized and carried off by their own Foragers. When any party of the *Enemy* had learnt that he meant to take a Journey within his Diocese; they sent him word, that he had no need of a *French* Convoy—that they would escort him themselves. Even the *Hussars* of the Imperial Troops did not fail to do him this Service. Such a commanding power has true Virtue over all hearts! He was no where ill treated and calumniated but in his own Country.

The

that the word *ordo*, neither *does* nor *can* admit of Dr. Butler's interpretation; I shall proceed *κατὰ δίκην*, by *posi-tion*, to shew its true meaning*, from two writers of authority in the *Romish* Church—the learned *French* Divine and orientalist, *Joannes Morinus*; and the subtle *Spanish* casuist, *Augustinus Barbosa*, Bishop of *Ugentio*.

The former writer, in his curious work, *De Sacris Ordinationibus*, Fol. *Paris*, 1655, *Pars* ii. *Exercit.* 1. c. 2. p. 13, 14. states the various acceptations of the word *ordo*, in common, civil, and ecclesiastical use. Under the last head he defines *ordo*: “*A Sa-*
“*crament by which some spiritual power is signi-*
“*fied and conveyed, relative to the consecra-*
“*tion of the sacrosanct body of Christ.* This defi-
“*nition* (says he) is general, and comprises *all*
“*orders*, but primarily and perfectly, the *priest-*
“*hood*; for, by that, in reality, is conveyed the
“*power of consecrating the body of Christ*:
“*WHICH IS THE ULTIMATE END OF ALL OR-*
“*TERS, UPON ACCOUNT OF WHICH, THEY WERE*
“*INSTITUTED.* But the reader will remark, that
“*the power of the priest is twofold, in what re-*

The *British* Hero, *Marlborough*, though taxed by Mr. O'Leary, with being “*obliged to make a declaration of war against the*
“*Virgin Mary, before he could draw his sword in Flanders;*” yet, we see, revered and respected a *declared* enemy indeed, but one of that class, whom our SAVIOUR, esteemed as his Mother and his Brethren—“*Who is my Mother, and who are my*
“*Brethren?* And he stretched forth his hand towards *his Dis-*
“*ciples*, and said, *Behold my Mother and my Brethren.* For,
“*who-so-ever shall do the will of my Father which is in heaven,*
“*the same is my Brother, and Sister, and Mother!*”

* I should not have introduced these quaint *logical* phrases, but that I am supported herein by the authority of Mr. O'Leary; who apologizes, for having been so sparing of *latin* words, in the course of his Controversy, p. 81.

“lates

lates to him *as priest* : the one, in respect of the
 real, the other, in respect of the *mystical* Body of
 Christ. By the former, the real body of Christ
 is sacrificed ; by the latter, his mystical body,
 that is the Church, is governed. For the Church
 no less requires a Priest, for government and
 protection, than a Sacrifice for nurture. This,
 the Council of *Trent* teaches, *Seff. 23. c. 1.*
 saying : *Apostolis eorumque successoribus in sacer-*
dotio, potestatem traditam consecrandi, offerendi,
ministrandi Corpus & Sanguinem ejus ; nec non
& peccata dimittendi & retinendi.—To the *Apos-*
tles, and their successors in the priesthood, was
delivered and handed down, the power of conse-
crating, offering, administering the Body and Blood
of Christ ; and also of remitting and retaining
Sins. For, these words comprize both powers.
 —There is, however, this difference :—The
 power in respect of the real body of Christ,
 is vested in the Priest and Bishops, as far as
 they are *Priests* ; but the power in respect of
 the mystical Body of Christ, is first, vested in
 the *Bishop* ; and then, in the Priest and others,
 as far as it is *canonically* communicated to them
 by the Bishop : according to the declaration of
Paul : *Act. 20, 28. Attendite vobis, & universo*
gregi in quo vos Spiritus Sanctus posuit Episcopos,
regere Ecclesiam Dei, &c.—Take heed unto your-
 selves, and to all the flock over which the Holy
 Ghost hath made you Bishops, to govern* the
 Church of God, &c.

—“ Of orders thus generally defined, there are
 usually counted seven species—*Priests, Dea-*
cons, Subdeacons, Acolyths, Exorcists, Lecturers,

* The word in the original, is *ποιμαίνω*, which signifies, to
 guide, as a Shepherd his flock.

“ *Doorkeepers*. Some reckon eight, adding to these
 “ already mentioned, *Bishops*. — The *Scripture*
 “ makes mention of three orders, *Bishops*,
 “ *Priests* and *Deacons*; and of the other five,
 “ the *Fathers*, who have written from the infancy
 “ of the Church.” So far *Morinus*.

Barbosa, in his elaborate work, *De Officio & Potestate Episcopi*, Fol. Lugd. 1656. c. 1. § 9. p. 3. &c. maintains the same Doctrine on this Head with the *Gallican* Divine. He distinguishes the power of a Bishop into two branches, namely, into those of *Order* and *Jurisdiction*. — “ To the
 “ power of the *Episcopal Order* (says he) three things
 “ properly and materially appertain—namely, to
 “ ordain the inferior orders of the Ministry, to
 “ consecrate the Chrism*, and to confirm.—The

* “ The *Holy Chrism*, which is used in Baptism and Confirmation, is composed of Olive Oil and Balm. Oil serves
 “ to heal wounds, to strengthen the body which is rubbed with
 “ it, and to give light when burnt: so that it very properly expresses *Grace* which cures us, strengthens us, and enlightens
 “ us. The Balm also represents *holiness*, because it preserves
 “ things from Corruption, and yields a sweet odour. Of these
 “ two liquids mixed together, the *Bishop* makes the Holy
 “ Chrism, which he yearly consecrates on *Maunday Thursday*
 “ at Mass, assisted by twelve priests, seven deacons, and seven
 “ subdeacons. He breathes upon it, to signify that the Virtue of
 “ the HOLY GHOST is adjoined to this material creature, and
 “ says excellent prayers, to beg of God, that this ointment may
 “ make the new baptized to partake of that Spiritual Unction
 “ from which our Lord has taken the name of CHRIST; with
 “ which God has anointed the *Priests*, the *Kings*, the *Prophets*,
 “ and the *Martyrs*; that in those who receive it, it may be a
 “ sacrament of Perfection. That freed from the corruption
 “ of their first birth, they may become, by this Unction, temples of sweet odour, in the innocence of their lives: that they
 “ may have the honour of Kings, Priests and Prophets according to the mysterious promise of God.” *Fleury's History. Catechism*, p. 228.

“ sacra-

“ sacraments which are conferred in consequence
 “ of the power of the *order* solely, cannot be ad-
 “ ministered by any person who hath not the
 “ order requisite for these; *nor can the supreme*
 “ *Pontiff prevent a Bishop from validly conferring*
 “ *orders*: because, with regard to the power of
 “ the order which the ordaining Bishop or Pope
 “ previously possesses, they hold themselves as a
 “ free instrument, influenced, however, by ano-
 “ ther, namely Christ; and this power depends
 “ on the consecrating Pope only *in fieri*. Which
 “ *power of order, indeed, Bishops receive immedi-*
 “ *diately from God*: For in respect of this, He
 “ made all the apostles equal, and for this of-
 “ fice, He ordained them equally. So that what I
 “ have mentioned as the privileges of the Episcopal
 “ order, cannot be enjoyed by an inferior prelate
 “ who is not a Bishop; neither by custom, nor
 “ by any other special right.

“ The power of *Jurisdiction* relates to the myf-
 “ tical body of Christians, dispersed through the
 “ whole world; over whom, it was necessary to
 “ appoint prelates and governors, according to
 “ the extent and population of their respective
 “ countries and kingdoms; vested, some with
 “ greater, others with less, power of Jurisdiction,
 “ to enact laws according as necessity or expedi-
 “ ence seemed to require.

“ This power of Jurisdiction is usually divided
 “ into what relates to the *Episcopal dignity*, viz.
 “ To take cognizance of matrimonial causes, to
 “ injoin public penances, and to grant indul-
 “ gences: and into that of *simple Jurisdiction*, as it
 “ is called, namely, to judge, excommunicate,
 “ correct; receive oaths from vassals, confirm,
 “ invest,

“invest, confer benefices, institute; and other matters of the like nature.”

Thus we see that the language of the *Gallican* Divine and of the *ultra montane, scholastic* Bishop, is the same.—Should Doctor Butler object to these authorities, as prior to the Reformation of the *Gallican* Church, in 1682, he will find precisely the same doctrine taught in *Fleury's Historical Catechism*, Dublin, 1765, p. 96 and 248: to which is prefixed the *Approbation* of Benign, Bishop of *Meaux*, dated May 12, 1683.

And hence it is evident, that the restrictive Clause, *salvo meo ordine*, signifies: Saving my *indefeasible rights of ORDER* (and perhaps also, *peculiar privileges of JURISDICTION*)—as Bishop, or Abbot. (For the same clause is inserted in the Abbot's oath at consecration. Vide *Pontificale Romanum*.) And this interpretation of the clause, is confirmed (if it requires confirmation) by the article of the Oath wherein it is inserted; which accurately distinguishes the Pope's rights of *order*, by *papatum* the papacy; and his privileges of *jurisdiction*, by *regalia* or royalties—*Sancti Petri*—derived to him and his successors, by lineal descent from St. Peter, the [supposed] *Prince* of the *Apostles*. All which, the juror engages, that he will be their *assistant* to retain and defend against every person—*adjutor eis ero ad retinendum & defendendum contra omnem hominem*. Saving the rights and privileges of his own order, [against every person; and chiefly against the Pope himself]—*Salvo meo ordine*. For, this clause was originally introduced into the Consecration Oath, by way of *Barrier* against the encroachments of Papal Usurpation upon the rights of the other Bishops.—(See the rise and progress of the Pope's *Ecclesiastical Jurisdiction*, and introduction of the Oath, &c. *Append. No. IV.*)

And

And conformably to this, The *Canon Law* observes : *Episcopus potest alteri inferiori tradere, quæ Jurisdictionis sunt, non quæ sunt Ordinis.*—A Bishop may commit to another inferior, privileges of *Jurisdiction*, but not of *Order*. Vid. *Loci Communes in Jus Canonicum*.

It is remarkable, that the *Pope* takes no oath at consecration. And that a *mere Layman*—*merus Laicus*, may be elected *Pope*—the only condition required by the *Rubric* is, his being a *Christian* and a *Catholic*—*dummodo sit Christianus & Catholicus*.—In which case, he must go through the process of having all the orders of *Deacon*, &c. conferred on him, to entitle him to the rights of *Order*.

I shall close this argument upon the Clause *Salvo meo ordine*, with an observation of Doctor *Butler's*, in his *JUSTIFICATION*, p. v.—which is perfectly just, as applied to Himself and his Coadjutor—"I am assured, the *Learning* of those persons whose opinions I attempt to refute, or whose assertions I am obliged to contradict, would not be much obliged to the *Charity*, that should charge them only with *mistake* or *ignorance*. And, at all events, *ignorance*, whether the facts a man states (particularly when of such magnitude as those I encounter) be *true*, is not much less culpable than the positive *knowledge* that they are *false*."

15. To refresh the Reader after the dryness of strict *Logical* discussion ; and also, to cast some additional light upon the true meaning of this "*dig-nified saving* clause:" I shall relate, from Lord *Lyttleton*, and the original writers of that period, the particulars of the dispute between *Henry II.* and *Becket*, Archbishop of *Canterbury*, relative to the *Constitutions of Clarendon*. See *Lyttleton's History of Henry II.* 4to. Vol. ii. p. 348, &c.

D

" Henry

“ Henry thought that the first beginning of the
 “ Reformation he meditated, would be most pro-
 “ perly made, by taking from the Clergy that
 “ strange privilege to which they pretended, of
 “ being exempt from all Secular Judicature; be-
 “ cause, so long as they retained it, they might
 “ safely persevere in all their other incroachments
 “ on the Civil Authority. And he had now an
 “ occasion of bringing on the question with the
 “ strongest evidences of the mischiefs that must
 “ attend such an immunity. *Becket* had lately
 “ protected some Clergymen, guilty of enormous
 “ and capital crimes, from being delivered up to
 “ the justice of the Crown. Among others, there
 “ was one, accused of having debauched a gentle-
 “ man’s daughter, and of having, to secure his en-
 “ joyment of her, murdered her father. The King
 “ required him to be brought to judgment before
 “ a Civil Tribunal; that, if convicted, he might
 “ suffer a penalty adequate to his guilt; which the
 “ Ecclesiastical judicature could not inflict upon
 “ him: But this was resisted by *Becket* *.

[At

* From the many instances which History furnishes of the op-
 position that has been *every where* made by the *Ecclesiastics* of
 the Romish Communion, to submit to the Civil Jurisdiction;
 and of the indulgence shewn to Clerical crimes the most atro-
 cious, in the Ecclesiastical Courts of Popish Countries: I shall
 select one from the History of *Portugal*.

“ In the reign of *Pedro* the *Just*, a Priest having killed a
 Mason, the King dissembled his knowledge of the crime, and
 left the issue to the Ecclesiastical Courts; where the Priest was
 punished by one year’s suspension from saying Mass. The
 King on this, privately ordered the Mason’s Son, to avenge the
 Murder of his Father. The Young Man obeyed, was appre-
 hended, and condemned to death. When his Sentence was to
 be confirmed by the King, *Pedro* enquired what was the Young
 Man’s trade. He was answered, that he followed his Father’s.
Well then, said the King, *I shall commute his punishment, and*
interdict

[At a meeting of all the Bishops summoned to attend Henry at *Westminster*, upon this occasion, several of the Bishops, we are told by *Fitzstephen*, (*Vit. S. Thom. MSS. Cotton. p. 16*, as quoted by *Stillington*, Vol. v. p. 722.) were for yielding them up to the Secular power, after degradation; but *Becket* stood to it, that it was against God and the *Canons*, and by this means the Church's liberty would be destroyed, for which, in imitation of their High Priest, they were bound to lay down their lives; and bravely adds, that it was not greater merit of old for the Bishops to found the Church of Christ with their blood, than in their times, to lay down their lives for this *blessed* liberty of the Church.] “*Becket* so wrought upon the
 “ Bishops, by arguments drawn from the *Canons*†,
 “ (the authority of which had entirely taken place
 “ of the *Scripture*) that, coming over to his opi-
 “ nion, they unanimously joined with him, in de-
 “ claring to the King, that no Ecclesiastic ought
 “ ever to be judged in a *secular Court*; or suffer
 “ death

interdict him from meddling with Stone or Mortar for a Twelve-month. After this, he fully established the authority of the King's Courts over the Clergy, whom He punished with death, when their crimes were capital. When solicited, to refer the Cause of such criminals to a higher Tribunal; he would answer very calmly: *That is what I intend to do—I will send them to the highest of all Tribunals—to that of their Maker and mine!* See *Mickle's Lusiad*, p. 140. and the Authorities he quotes, *Le Clede*, *Mariana*, and *Faria*.

† The Reader will find, in the *Appendix*, No. VI. some of these *Canons* in the Original, of which the following are a specimen:

“ 1. As to *Adultery*, and the other *lesser crimes*, the Bishop
 “ may dispense with the Clergy after they have done penance;
 “ but he ought not to deliver up any Priest, after degradation for
 “ his crimes, to the *secular Court*: Since He has discharged
 “ his own duty, and ought not to bruise him with double con-
 “ trition [or bruising].”

“ death or loss of limb for *any crime* whatsoever :
 “ And, that degradation from orders being a punishment, it would be unjust to punish twice for

“ 2. An Enquiry was made of us [Pope *Celestine*] whether
 “ it be lawful for the *King*, or *any* Secular Person, to judge
 “ *Clerks* of any order, caught either in theft, homicide, perjury,
 “ or any crime whatsoever. To your Consultation, I answer
 “ thus : That if a clerk of any order, shall be caught in theft,
 “ or homicide, or perjury, or any other crime, and lawfully
 “ convicted thereof ; He should be *deprived* by the Ecclesiastical
 “ Judge : If the party so deprived should prove incorrigible,
 “ he ought to be *excommunicated* : And then, if he increase
 “ in contumacy, to be struck with the edge of an *anathema* :
 “ Afterwards, if plunging into the depth of wickedness,
 “ he become guilty of contempt, since the Church has *no*
 “ *higher punishment* to inflict ; in order that he may no longer
 “ be the destruction of many, he ought to be apprehended by
 “ the Secular Power, so as that he may be *banished*, or suffer
 “ *some other* lawful Punishment.”

“ 3. Christian Emperors ought to submit their Executions to the
 “ Ecclesiastical Prelates, and not impose them as superior—
 “ Christian Princes ought obsequiously to follow the decrees of
 “ the Church, not preferring their own Power—It is customary
 “ for the Prince to submit his head to the Bishops, not to pass
 “ judgment on their heads.—*God* willed, that *Ecclesiastical Regulations*
 “ should belong to the *Priests*, not to the *Secular Powers* ; which, if
 “ Christian, He willed to be subject to the *Priests* of his Church.”

These are some of the *Unconstitutional* Canons of the *Romish*
 Church—how different from those of *Peter* and *Paul* ! “ Know
 “ ye not, that the *Unrighteous* shall not inherit the kingdom of
 “ God. Be not deceived : neither Fornicators, nor Idolaters,
 “ nor Adulterers, &c. shall inherit the kingdom of God.”
 “ Let *every Soul* be subject unto the higher Powers,—the Powers
 “ that be are ordained of God : whosoever therefore resisteth
 “ the Power, resisteth the Ordinance of God.”—This is St. *Paul*’s doctrine—and St. *Peter*’s is like it :—“ Submit
 “ yourselves to *every* ordinance of man for the Lord’s sake :
 “ whether it be to the King as Supreme ; or unto Governors,
 “ as unto them that are sent by him for the punishment of evil
 “ doers, and for the praise of them that do well. For so is the
 “ will of God, that with *well doing* ye may put to silence the
 “ *ignorance of foolish men*.”

“ the

“ the same crime : But, that if a Clergyman who
 “ had been degraded, should *afterwards* be guilty
 “ of other crimes, the royal Judges, *in that case*,
 “ might punish him according to their discretion.

“ Henry, having reasoned with them against
 “ these notions some time, and finding them ob-
 “ stinate, reduced his argument to this question—
 “ *Whether they would observe the ancient customs*
 “ *and laws of his Realm?* To which Becket, after
 “ some consultation with his Brethren, returned
 “ this answer : *That he would observe those laws*
 “ *and customs, as far as he could, SAVING THE*
 “ PRIVILEGES OF HIS ORDER, AND THE HONOUR
 “ OF GOD. Every one of the Prelates being asked
 “ the same question, answered in the same words.
 “ The King, extremely provoked at this *evasive*
 “ *reserve*, from which none but the Bishop of
 “ *Chichester* could be brought to depart, said :
 “ *That he perceived a line of battle was drawn up*
 “ *against him!* and abruptly left the assembly.—
 “ When the Bishop of *Chichester*, among others,
 “ pressed Becket to alter these words which were
 “ so disagreeable to the King ; and laboured to
 “ convince him, that a regard for the peace of the
 “ Church, in this conjuncture, ought to induce
 “ him to proceed with more moderation : it only
 “ drew from him a severe reprimand to that Pre-
 “ late, for having taken the liberty to propose
 “ other words in the assembly at *Westminster*. He
 “ went so far as to say : *That if an Angel should*
 “ *come from Heaven, and advise him to make the*
 “ *acknowledgment desired by the King, without the*
 “ SAVING he had thrown in, he would anathema-
 “ tize him. Yet, he was afterwards brought to
 “ make that acknowledgment, and part with his
 “ saving clause, by the authority of the Pope’s
 “ Almoner, who then was at *London* ; and whose
 “ advice it seems, he was willing to take, even
 “ preferably

“ preferably to that of an Angel from Heaven.
 “ —This man, [who, *Lyttleton* thinks probable,
 “ was gained over by the King] *pretended* he had
 “ orders from his Holiness to persuade him to
 “ obey the will of the King. —However this
 “ may be, *Becket* went to *Henry* at *Oxford*, and
 “ there *promised* to observe the Customs of the
 “ Kingdom, *without any exception or reserve*. —
 “ The King, not yet content with this *verbal pro-*
 “ *mise*, soon after called a *Parliament* to meet him
 “ at *Clarendon*; wherein such rights of the Crown,
 “ and customs of the Realm, particularly with re-
 “ gard to *Judicial proceedings*, as had been in use
 “ under the Government of King *Henry I.* and
 “ his Royal predecessors, being recollected upon me-
 “ mory, and set down in writing by the most *An-*
 “ *cient* persons there; it was likewise desired, that
 “ the whole Assembly should take an *oath* to ob-
 “ serve them. This met with no difficulty on the
 “ part of the Laity; but *Becket* objected to it,
 “ as very different from the *general promise* he had
 “ given. The King and the Temporal Lords ex-
 “ pressed great anger at this unexpected opposi-
 “ tion; which indeed might well offend them,
 “ since it amounted to a *confession*, that he had
 “ meant to impose on his Sovereign, and fraudulently
 “ evade the obedience he had promised. But the
 “ Bishops concurred with him, not daring to
 “ abandon their *Primate* in a contest against Laws,
 “ which they were assured, the *See of Rome* would
 “ join with him in condemning, as repugnant to the
 “ rights and liberty of the Church, and to the fide-
 “ lity they owed to their Lord the Pope.
 “ For three days successively, the Temporal Barons
 “ and They debated this point. —Having long en-
 “ deavoured without success, to reason the Bishops
 “ into a better temper of mind, the Temporal
 “ Lords now began to treat them rather as ene-
 “ mies

“ mies to their Country, than members of a Free
 “ Legislature; whose determinations ought always
 “ to be exempt from the least shadow of violence
 “ or compulsion.—Yet, in despite of their me-
 “ naces, the *Prelates* remained firm.—*Becket*
 “ alone, after the Temporal Lords were departed,
 “ withdrew from his Brethren, and went to con-
 “ sult with the Prior of the *Temple* in *London*, and
 “ another Knight *Templar*, his particular friend;
 “ who, both exhorting him to submit to the orders
 “ of the King, he returned to the Bishops, and
 “ spoke in the hearing of them all these ve-
 “ ry remarkable words: *It is my Lord's will*
 “ *that I should forswear myself, and at present I sub-*
 “ *mit to it; and do resolve to incur a perjury*, and*
 “ *repent afterwards as I may.* The Bishops heard
 “ him with astonishment, and were not a little
 “ scandalised at what he had said. Yet, they went
 “ with him to the King and the other Barons in
 “ Parliament; to whom, he declared his assent to
 “ the *Constitutions* proposed; and *promised in the*
 “ *word of truth, that he would observe them in*
 “ *good faith and without deceit:* which was the
 “ usual form of all promissory oaths at that time.

* *Becket's* exclamation, may naturally enough be accounted for, by some of the following *Canons*: *Decretal. Lib. 2. Tit. 24.*

Cap. 19. Juramentum prædictum vos excusare non potest, in quo debet intelligi jus Superioris exceptum.

The aforesaid Oath cannot excuse you, in which the Superi-
 or's right ought to be understood as excepted.

Cap. 21. Debet ita intelligi, ut non obviet juri; alias, tanquam temerarium, non obligat.

It ought to be so understood, as not to obstruct the [Eccle-
 siastical] Law; otherwise, as being rash, it doth not bind.

Cap. 27. Non Juramenta, sed Perjuria potius dicenda sunt, quæ contra utilitatem Ecclesiasticam attentantur.

Whatever Oaths are attempted [to be imposed] contrary to the interest of the Church, should not be called Oaths, but rather Perjuries.

[This

[This procedure of *Becket*, the *Monkish* writers and *Baronius* parallel with *St. Peter's* denying *Christ*.]

“ Having thus bound himself ; he enjoined the
 “ other Bishops, *by the Canonical obedience they owed*
 “ *him*, to take the same engagement : which they
 “ all did, in the same words. They then signed
 “ the articles, and set their seals to them : But
 “ this, *Becket* declined. A reserve, which does him
 “ no honour ! for, after a solemn promise, that he
 “ would observe these Constitutions ; it was *incon-*
 “ *sistent* and *trifling* to scruple the signing or seal-
 “ ing of them.—If therefore there is any weight
 “ in this circumstance, it can only shew, that he
 “ was looking for subterfuges where none could
 “ be found ; a little to *palliate* the guilt of that
 “ perjury, which, as he had told the Bishops, he
 “ was deliberately resolved to incur.”

“ In my relation of this transaction (observes
 “ the noble Historian) there are some particulars
 “ of great importance, which differ from all the
 “ accounts that have been hitherto given by other
 “ writers ; but they are founded upon the most
 “ unquestionable authority, upon a letter writ-
 “ ten by *Gilbert Folliott*, then Bishop of *London*,
 [a person of great reputation with Pope *Alex-*
ander himself, for his learning, piety, and the
 severity of his life. *Stillingfleet*, Vol. v. p. 718.]
 “ to *Becket himself*, during his exile, concerning
 “ this matter ; and preserved with many other
 “ Epistles, to and from the Archbishop, in a MS
 “ which appears to be of that age, in the most
 “ valuable collection of our English Antiquities
 “ the *Cotton Library* : from whence it is transcrib-
 “ ed into the *Appendix* to this Volume, p. 185.”

[and which contains the following animated ani-
 madversions :—“ *Your Letter reproaches us with*
 “ *turning*”

“ turning our backs in the day of battle—let the
 “ Lord judge between us. Let himself judge, for
 “ whom, we stood firm; for whom, we were inflexible
 “ to the menaces of Princes. Let him judge, WHO
 “ it was that fled, who was the deserter in the en-
 “ gagement. There stood, without doubt, that noble
 “ man, and of a most constant spirit in the Lord,
 “ Henry of Winchester, there stood Nigellus of
 “ Ely, there stood Robert of Lincoln, Hylary of
 “ Chester, Joceline of Salisbury, Bartholomew of
 “ Exeter, Richard of Chester, Roger of Worces-
 “ ter, Robert of Hereford, Gilbert of London;
 “ There turned his back, the General; the Leader
 “ of the field himself ran away:—from the meeting
 “ and consultation of his Brethren, my Lord of
 “ Canterbury withdrew himself; and after holding
 “ a separate treaty, returned after some time to us,
 “ and broke out into these words—*Est Domini mei*
 “ *voluntas ut pejerem, & ad presens subeo; & in-*
 “ *curro perjurium, ut potero, pœnitentiam acturus*
 “ *in posterum. Hearing these words, we were struck*
 “ *mute with astonishment; and with our eyes fixed on*
 “ *each other, lamented, with sighs and groans, this*
 “ *fall of a man, whom we thought possessed of the*
 “ *highest virtue and constancy.*]* A very strong
 “ pre-

* “ *Vestra nobis exprobratur epistola quod in die belli con-*
 “ *versi sumus.—Judicet Dominus inter nos. Ipse judicet, ob*
 “ *quem stetimus, ob quem ad minas principum flecti nequivi-*
 “ *mus. Judicet ipse, quis fugerit, quis in bello desertor exti-*
 “ *tit. Stetit proculdubio, vir nobilis et spiritus in Domino con-*
 “ *stantissimi Wintoniensis Henricus, stetit Eliensis Nigellus, stetit*
 “ *Lincolniensis Robertus, Cycestriensis Hylarius, Sarisburiensis*
 “ *Jocelinus, Exoniensis Bartholomæus, Cestrensis Ricardus, Wi-*
 “ *gorniensis Rogerus, Herefordensis Robertus, Londinensis Gille-*
 “ *bertus. Terga dedit Dux militiæ, ipse campi Ductor aufu-*
 “ *git, a Fratrum suorum collegio simul & consilio Dominus*
 “ *Cantuariensis abscessit; & tractatu seorsim habito, ex inter-*
 “ *vallo*

“ presumptive proof of the truth of the facts at-
 “ tested in this Letter, is their remaining uncon-
 “ troverted by *Becket* himself; who, if he had not
 “ been silenced by the testimony of his own con-
 “ science, must have loudly complained of such
 “ a misrepresentation, capable of being disproved
 “ by all his Brethren there present; to whom he
 “ might have appealed against the calumny in-
 “ vented by *Folliott*: But he never answered this
 “ Letter.

“ It must also be observed, that *Baronius*, who
 “ in writing of these times, has transcribed sever-
 “ al Letters out of the *Vatican MSS* of the *same*
 “ Collection, and particularly *that* to which this
 “ appears to be an answer; has omitted to *tran-*
 “ *scribe*, or *mention* this. And what is no less re-
 “ markable, in the printed edition made at *Brus-*
 “ *sels*, from the *Vatican MSS*, this is also *left*
 “ *out*. By which *suppression of evidence*, upon a
 “ point so important to the character of one of
 “ their *greatest Saints*; we may judge of the *credit*
 “ due to the Clergy of that Church, in *Ecclesiasti-*
 “ *cal History*.”

So far the accurate and impartial Lord *Lyttleton*—
 The sequel, of *Becket's* contrition, absolution, and
 the miracles wrought at his Tomb, after his detest-
 able assassination at the Altar; I shall relate from
 one of the best of the Norman Historians, *Mat-*
thew Paris. Lond. 1684, p. 85.

“ *His itaque gestis*, &c. After these transactions,
 “ the Laity usurped a power over the properties
 “ and persons of Ecclesiastics in all things at

“ vallo reversus ad nos, in hæc verba prorupit: *Est Domini*
 “ *mei*, &c. Auditis his obstupuimus, & mutuis hærendo con-
 “ spectibus, ad lapsum hunc a summo, ut æstimabamus, virtutis
 “ & constantiæ viro, suspirantes ingemuimus.”—The word
Domini, in *Becket's* exclamation is equivocal, denoting either
 the King. or the Pope. Which is meant I will not pretend to
 decide.

“ plea-

“ pleasure, in despite of Ecclesiastical Law; the
 “ Bishops tacitly acquiescing, or scarcely mur-
 “ muring, rather than resisting. Then, *Thomas*
 “ Archbishop of *Canterbury*, coming to himself,
 “ after consenting to *Laws that were unjust, and*
 “ *detestable to all faithful Christians; and binding*
 “ *himself by oath to observe them; and diligently*
 “ *examining the rash deed he had perpetrated;*
 “ *mortified himself grievously with the austere*
 “ *food, and humbled his body in sack-cloth, sus-*
 “ *pending himself from the duty of the Altar;*
 “ *until, by confession and condign fruits of pe-*
 “ *nance, he might devoutly intitle himself to be*
 “ *absolved by the Supreme Pontiff. For, sending*
 “ *messengers forthwith to the Court of Rome,*
 “ *after having transmitted, for the Supreme Pon-*
 “ *tiff’s cognizance, a schedule of his own and the*
 “ *Church’s case; he sought absolution from the*
 “ *obligation he had rashly entered into, and ob-*
 “ *tained it by the following letter*:*

* *ALEXANDER Episcopus, & cætera. Ad aures nostras, Frater-*
nitas tua noverit, fuisse perlatum, quod occasione cujusdam excessus,
a Missarum proposueris celebratione cessare, & a consecratione cor-
poris & sanguinis Domini abstinere. Quod utique, quam grave sit,
præcipue in tanta Personâ, & quantum inde possit scandalum pro-
venire, sollicitâ meditatione consideres; & hoc ipsum vigilantia
tue discretionis attendat. Debet autem prudentia tua diligenter ad-
vertere, quod plurimum interest, quando ignorantia vel necessitate
aliqua committuntur. Nam, (sicut legitur) usque adeo voluntari-
um est peccatum, quod nisi sit voluntarium, non sit peccatum.
Si igitur aliquid recolis te commississe, de quod te debeat propria
conscientia remordere; QUICQUID SIT, sacerdoti, qui discretus &
providus habetur, tibi consulimus per penitentiam confiteri. Quo
facto, Misericors & Misericors DOMINUS, qui multo plius ad
cor respicit quam ad actus, tibi consueta pietatis sue misericordiam
dimittet. Et Nos, de Beatorum Petri & Pauli Apostolorum,
ejusque, meritis confidentes, te ab eo quod est commissum absolvi-
mus, & id ipsum Fraternitati tue auctoritate Apostolica relax-
amus: Consulentes utique & mandantes, ut postea a Missarum
celebratione, propter hoc, non debeas abstinere.

“ *Alex.*

“ *Alexander, Bishop and so forth—Know, Brother,* it hath reached our ears, that on account
 “ of a certain enormity, you have purposed to
 “ desist from the celebration of Masses, and ab-
 “ stain from the consecration of the Lord’s Body
 “ and Blood. Which purpose of your’s, consider
 “ with solicitude and meditation, how *grievous* it
 “ may be, especially in so great a Person, and
 “ how *much scandal* may result from thence; and
 “ let the vigilance of your discretion attend to
 “ this point. Your prudence ought to remark
 “ carefully, that *there is a very great difference*
 “ *between acts committed deliberately and voluntarily,*
 “ *and through ignorance or necessity.* For (as we
 “ read) *a crime is so far voluntary [in its nature]*
 “ *that except it be voluntary it is no crime.* If, then,
 “ you recollect your having committed any thing
 “ for which your own conscience ought to upbraid
 “ you, *Whatever it be,* we counsel you to confess
 “ it in penance to a Priest that is counted discreet
 “ and prudent. Which being done, the merci-
 “ ful and compassionate Lord, *who looks much*
 “ *more to the heart than to actions,* will remit it,
 “ through the wonted compassion of his piety.
 “ And *we,* confiding in his Merits, and those of
 “ the blessed Apostles *Peter and Paul;* do *absolve*
 “ you from that which you have committed, and
 “ do *relax* it to you, Brother, by Apostolical
 “ Authority. Counselling, and enjoining you, that
 “ you ought not, henceforth, on this score, to ab-
 “ stain from the celebration of Masses.”

How dreadful is the guilt of Wilful and Deliberate perjury, and how vain and impious all human pretences to absolve it, we may learn from the conduct of the MOST HIGH.—Who ratified by an OATH the promise he made to the illustrious Patriarch, *Abraham,* his true and faithful *Servant;* whom

whom he vouchsafed to call (a) and consider (b) as his friend.—“By MYSELF have I SWORN, saith the LORD:—For because thou hast done this thing, and hast not withheld thy Son, thine only Son: That in blessing I will bless thee; and in multiplying I will multiply thy seed as the sand which is upon the sea shore—and thy seed shall possess the gate of his Enemies; and IN thy seed shall ALL THE NATIONS OF THE EARTH BE BLESSED:—Because thou hast obeyed my voice. (c) This Covenant of Grace was, by the Divine command, renewed unto David by Nathan the Prophet:—“Thy throne shall be established for ever (d).” And described, in the following animated strain, by the Royal Psalmist himself:—MY COVENANT WILL I NOT BREAK, NOR ALTER THE THING THAT HATH GONE OUT OF MY LIPS; ONCE HAVE I SWORN BY MY HOLINESS THAT I WILL NOT FAIL DAVID: His seed shall be established for ever, and his throne as the sun, before me; It shall be established as the moon, and as a faithful witness in Heaven (e). If such then be the declarations of that SUPREME SPIRIT, who is to be worshipped in spirit and in truth: (f)—If we are assured: that without Holiness no man shall see the LORD (g). If we are moreover, taught by our “LORD: That whosoever shall break one of the least “of these Commandments, and shall teach men “so; he shall be called least in the kingdom “of Heaven (h):” must we not shudder at the guilt, of taking the name of the LORD our GOD in vain; or the still more enormous guilt of teaching it—attended with the aggravated blasphemy

(a) *Isaiah*, 41, 8. (b) *Gen.* xvii, 22. xviii, 23, &c. (c) *Gen.* xviii, 17, 18, 19. (d) *1 Sam.* vii, 16. (e) *Psa.* lxxxix, 34, &c. (f) *John* iv, 24. (g) *Heb.* xii, 14. (h) *Matt.* v, 19.

my of claiming a SPECIAL LICENSE FROM HEAVEN for so doing?

But to proceed—The same *Monkish* Historian, who records the *Absolution* granted to *Becket*, for the perjury he incurred, by swearing to be amenable to the Laws of his *Country*, in violation of his Oath of Allegiance to the *Pope*; Thus relates (p. 104.) the miracles wrought at the Tomb of this Saint and Martyr: who was *canonized* at *Rome*, after his nefarious and sacrilegious assassination at the foot of the altar.

“ In this year, (A. D. 1171,) about Easter,
 “ The Lord *Jesus Christ*, who, in his Saints is at
 “ all times, and in all places wonderful, began to
 “ irradiate the laudable life, and insuperable constancy in death of his Martyr, *Thomas* Archbishop of *Canterbury*, with abundance of Miracles; that he, who had patiently endured the proscription of himself and his friends for so many years, might appear to all the world to have obtained a triumph suitable to his merits. No one who approached the tomb of this glorious Martyr, through faith, returned without a cure, under whatsoever infirmity he laboured. For there, feet were restored to the lame, hearing to the deaf, sight to the blind, speech to the dumb, soundness to lepers, and life to the dead. Nay, not only men and women, but even birds and beasts, were restored from death to life!—et non solum utriusque sexus homines, verum etiam aves et animalia de morte reparantur ad vitam!”

Such is the ridiculous, if not odious garb, such the colouring, with which the lovely form and face of native *Christianity* has been dizenied out, and tricked off! These, alas, are some of the *Evidences* and *Doctrines*, that have unhappily contributed to propagate *Deism*, and even *Atheism*; and have made many

many a man say—if *This be Christianity, let my Soul be with the Philosophers!* How different, how widely different is *This*, from *Pure Religion*, and *undefiled before God and the Father*, as it came from the hands of *Jesus, the Author and Finisher of our Faith!*

*Ut Matrona Meretrici dispar erit
Atque discolor—*

And to what did *Jesus* appeal, in answer to the enquiry of *John's* disciples, as *conclusive evidence* that he was the expected *Messiah*? Not solely, to the *special instances of supernatural power* attributed to the *Messiah* by the word of *Prophecy**, which they actually *saw* him accomplishing—*The Blind see, the Lame walk, the Lepers are cleansed, the Deaf hear, the Dead are raised*: but also, to the grand object of these mighty works—which was, to arrest the attention of the *Beholders* to the *intrinsic excellence of the Doctrines*, they likewise *heard* him deliver—*Doctrines*, calculated to destroy *Sin*, and establish the purest *Virtue and Piety*; and strictly conformable to the distinguishing prerogative of the *Messiah*—*who was anointed, to preach GLAD TIDINGS [THE GOSPEL] to the meek†*—On the other hand, what end could the miracles said to be wrought at *Becket's tomb*, answer, but to sanctify *Rebellion* against his *Prince*, and *Perjury* against his *God*?

16. I shall conclude these observations on the *SALVO MEO ORDINE* with addressing *Dr. Butler* in the words of *Cyprian Bishop of Carthage* to *Pope Stephen*: A. D. 255.

* *Isaiah*, xxxv, 5, 6. † *lxi*, 1, 2.

— “ Hæc ad conscientiam tuam, Frater Charissime, & pro honore communi, & pro simplici dilectione pertulimus ; credentes etiam tibi pro Religionis tuæ & Fidei veritate, placere quæ & religiosa pariter & vera sunt. Cæterum, scimus quosdam, quod semel imbibierint nolle deponere, nec propositum suum facile mutare, sed (*Salvo inter Collegas pacis & concordia vinculo*) quædam propria, quæ apud se semel sint usurpata, retinere. Qua in re, nec nos vim cuiquam facimus aut legem damus ; quando habeat in Ecclesiæ administratione voluntatis suæ liberum arbitrium *Unusquisque Præpositus*, rationem actus sui DOMINO redditurus *.”

* “ *These considerations, dearest Brother, we offer to your Conscience both from public respect and private affection ; believing (such we presume is the truth of your Religion and Faith) that what is equally religious and true, is also pleasing to you. But, some there are, we know, who are not easily brought to relinquish what they have once imbibed, or to change their purpose, but (Saving the bond of peace and concord between Colleagues) retain some peculiarities, which they have once adopted. In which matter, neither do we offer violence to any, nor impose law ; since every Prelate should have the use of his free will in the administration of the Church, being accountable for his conduct to the LORD.*

This is the conclusion of a letter written by Cyprian to Stephen, occasioned by the controversy about Re baptizing Heretics after their Conversion to the Faith, which the Asiatic and African Bishops contended for in opposition to Stephen ; Cyprian especially, who was thereupon branded by Stephen with the Epithets of “ *Pseudo-Christus, Pseudo-Propheta, & Dolosus operarius.*” “ *False Christ, False Prophet, and Deceitful Labourer.*” What a contrast does this Letter of Cyprian’s, conveying the Protest of a Synod of 87 African Bishops against Stephen’s proceedings, furnish ! Vide Cyprian’s, Epist. 72. Edit. Rigalt. Paris.

* * *

THE remaining branches of Doctor *Butler's* Argument I am unavoidably compelled to postpone the consideration of, by the accumulation of *Collegiate Duties*, with which I am now burthened, and well nigh overwhelmed. This, to which I have hitherto confined myself, will, I trust, appear to be treated according to the Golden Rule of strict and impartial JUSTICE :

——— *Nothing extenuate,
Nor set down aught in malice :*

A Rule, which I am sorry to observe, has not been sufficiently attended to by the Writers I controvert ; as has already been shewn by Others. And nothing could induce me to continue, (as I mean, with God's help, to do) a Disquisition, for which I have, at *any* time, little leisure indeed, and still less inclination—(which I originally embarked in, from a wish to vindicate the character of one of the FEW, whose friendship I count an honour ; and pursued, under all the pressure of Domestic anxiety and sorrow, through the lingering sickness, and loss of an only surviving, most worthy, and most honoured PARENT) but an ardent desire to let in even a single additional ray of *light* to *those* of my BRETHREN and FELLOW CITIZENS, *who*, in many respects I apprehend, still sit in *darkness* and the shadow of Death—To guide their feet into the way of Peace !

1. The first thing I noticed when I stepped out of the car was the cold. It was a sharp contrast to the warm blanket I had been sitting under. I shivered slightly, but then I remembered that I was in the city, and the cold was just another part of the experience. I took a deep breath and walked towards the entrance of the building. The door was open, and I saw a sign that said "Welcome to the City". I smiled and walked in. The interior was warm and inviting, with a large fireplace and a comfortable sofa. I sat down and looked at the bookshelf. There were many books, but I didn't know which one to pick. I decided to take a walk around the city first. I walked for hours, seeing the sights and feeling the energy of the place. I was tired when I got back, but I felt good. I had found my way into the city, and I was ready to start my new life.

I think I can find no other, but
 when I have found one, I will
 return it to you, or to the
 person to whom it belongs. I
 am sure you will be glad to
 receive it. I am, Sir, your
 obedient servant, J. H.

A P P E N D I X.

CONTAINING

PROOFS AND ILLUSTRATIONS.

A P P E N D I X

CONTAINING

PROOFS AND ILLUSTRATIONS

A P P E N D I X.

N U M B E R I.

* A R T I C L E I.

See *Appendix to Strype's Life of Cranmer,*
N^o. V. p. 9.

Cranmer's Protestation at his Consecration.

IN Dei nomine, Amen. Coram vobis autentica
persona & testibus fide dignis, hic presen-
tibus: ego *Thomas* in *Cant.* Archiepiscopum elec-
tus, dico, allego, & in his scriptis palam, pub-
licè,

* A R T. I.

In the name of God, Amen. Before you, a person autho-
rised, and witnesses worthy of credit, here present: I *Thomas*,
elected Archbishop of *Canterbury*, do say, allege, and in the
words here written, do openly, publicly, and expressly *protest*:
that, in taking the oath or oaths usually sworn by those elected
Archbishops of *Canterbury*, to the supreme Pontiff, before my
consecration, or at the time thereof, I must consider them as
rather

licè, & expresse *protestor* : quod cum juramentum sive juramenta ab electis in Cant. Archiepiscopos summo Pontifici præstari solita, me ante meam consecrationem, aut tempore ejusdem pro *forma* potius quam pro *esse*, aut *re* obligatoria ad illam obtinendam oporteat ; non est, nec erit meæ voluntatis aut intentionis, per hujusmodi juramentum vel juramenta, qualitercunque verba in ipsis posita sonare videbuntur, me obligare ad aliquod ratione eorundem posthac dicend. faciend. aut attemptand. quod erit, aut esse videbitur contra *legem Dei* vel contra illustriss. Regem nostrum *Angliæ*, aut Remp. hujus sui regni *Angliæ*, legesve aut prærogativas ejusdem. Et quod non intendo per hujusmodi juramentum aut juramenta, quovis modo me obligare, quominus libere loqui, consulere, & consentire valeam, in omnibus & singulis, reformationem religionis Christianæ, gubernationem Ecclesiæ Anglicanæ, aut prærogativam Coronæ ejusdem, Reipublicæve commoditatem, quomodo concernentibus ; & ea ubique exequi & reformare,

rather *formally*, than *essentially*, or in *reality* obligatory to obtain it. And it neither is, nor will be my design or intention, by this oath or oaths, howsoever the words contained in them may sound, to oblige myself by reason of the same, to say, do, or attempt any thing hereafter, that shall be, or seem to be contrary to the law of God, or contrary to our most illustrious King of *England*, or the common weal of this his kingdom of *England*, or the laws or prerogatives of the same. And that I do not intend, by an oath or oaths of this sort, in any way to preclude myself from being able freely to speak, consult and consent, in all and singular matters any how concerning the Reformation of the *Christian* Religion, the Government of the Church of *England*, or the Prerogative of the Crown thereof, or Interest of the State ; and to execute and reform every where whatever matters in the Church of *England* shall appear to want reformation. And according to this interpretation and this meaning,

reformare, quæ mihi in Ecclesia Anglicana reformanda videbuntur. Et secundum hanc interpretationem & intellectum hunc, & non aliter, neque alio modo, dicta juramenta me præstiturum protestor & profiteor. Protestorque insuper, quodcunq; juramentum sit, quod meus Procurator summo Pontifici meo nomine antehac præstitit, quod non erat intentionis aut voluntatis meæ sibi aliquam dare potestatem, cujus vigore, aliquod juramentum meo nomine præstare potuerit contrarium aut repugnans juramento per me præstito, aut inposterum præstando, præfato illustriss. Angliæ Regi. Et casu, quod aliquid tale contrarium aut repugnans juramentum meo nomine præstitit, protestor, quod illud me incio, & absque mea auctoritate præstitum, pro nullo & invalido esse volo. Quas protestationes in omnibus clausulis & sententiis dictorum juramentorum repetitas & reiteratas volo. A quibus per aliquod meum factum vel dictum quovis modo recedere non intendo, nec recedam: sed eas mihi semper salvas esse volo.

ing, and in no other way nor manner, do I protest and profess that I will take said oaths. And I do moreover protest, whatever be the oath which my Proctor swore in my name heretofore to the supreme Pontiff, that it neither was my will or intention to give him any power, by virtue of which he might take any oath in my name contrary, or repugnant to the oath, taken, or hereafter to be taken by me, to the most illustrious King of *England* aforesaid. And in case he has taken any such contrary or repugnant oath in my name, I do protest, that I wish it to be considered as null and invalid, having been taken without my knowledge and authority. *Which protestations I wish to be considered as repeated and reiterated in all the clauses and sentences of said oaths: from which I do not mean to recede, nor will I any how recede by any word or deed of mine: but I will, that they shall always hold good in my favour.*

* A R T. II.

Cranmer's Oath taken at his Consecration to the Pope.

Ego *Thomas* electus *Cantuariensis*, ab hac hora, ut antea, fidelis & obediens ero *B. Petro*, sanctæ Apostolicæ *Romanæ Ecclesiæ*, & Domino meo *D. Clementi VII.* suisque successoribus canonicè intrantibus. Non ero in consilio aut consensu, vel factò, ut vitam perdant vel membrum, seu capiantur mala captione. Consilium vero quod mihi crèditure sunt per se aut nuncios, ad eorum damnum, me sciente, nemini pandam. Papatum Romanum, & Regalia *S. Petri* adjutor eis ero, ad retinendum & defendendum, *salvo meo ordine*, contra omnem hominem. Legatum sedis Apostolicæ in eundo & redeundo honorificè tractabo, & in suis necessitatibus adjuvabo. Vocatus ad Synodum veniam, nisi præpeditus fuero Canonica præpeditone. Apostolorum limina, Romanâ curiâ existente

* A R T. II.

I *Thomas*, elected Archbishop of *Canterbury*, from this hour forward, as before, will be faithful and obedient to the blessed *Peter*, to the Holy Apostolic Church of *Rome*, and to my Lord, the Lord *Clement VII.* and his successors canonically entering. I will not be of counsel, consent, or act, that they may lose life or member, or be taken by evil capture. The counsel they shall entrust to me by themselves or nuncios, to their harm, I will not knowingly disclose to any person. The *Roman* Papacy, and the Royalties of *St. Peter*, I will be their assistant to retain and defend, *saving mine own order*, against every man. The Legate of the Apostolic See, both going and coming, I will honourably entreat, and in his necessities assist. When called to a Synod, I will come, unless I shall be prevented by *Canonical* impediment.

The

existente citra *Alpes*, singulis annis, ultra vero montes singulis bienniis visitabo, aut per me, aut, per meum nuntium, nisi Apostolicâ absolvar licentiâ. Possessiones verò ad mensam mei Archiepiscopatus pertinentes non vendam, neque donabo, neque impignorabo, neque de novo infeudabo, vel aliquo modo alienabo, inconsulto Romano Pontifice. Sic me Deus adjuvet, & hæc sancta Dei Evangelia.

A R T. III.

Cranmer's Oath to the King for his Temporalities.

I *Thomas Cranmer* renounce and utterly forsake all such clauses, words, sentences and grants, which I have of the Pope's Holiness in his Bulls of the Archbishoprick of *Canterbury*, that in any manner was, is, or may be hurtful or prejudicial to your Highnes, your Heires, Successors, Estate, or dignity Royal. Knowing myself to take and hold the said Archbishoprick immediately, and only, of your Highnes, and of none other. Most lowly beseeching the same for restitution of the Temporalties of the said Archbishoprick: Professing to be faithful, true, and obedient, subject to your said Highnes, your Heires and Successors, during my life. So help me God and the Holy Evangelists.

The thresholds of the Apostles I will visit either personally or by messenger every year, if the Court of *Rome* be on *this* side of the *Alps*, but if *beyond*, every two years, unless I be absolved by License Apostolical. The mensal possessions belonging to my Archbishopric I will neither sell, nor bestow, nor mortgage, nor invest anew, nor in anywise alienate, without consulting the Roman Pontiff. So help me God, and these Holy Gospels of God.

N U M B. II.

*Extract from a Sermon of Pope Innocent III. In
Consecratione Pontificis. Serm. 3. Vide Innocent.
Opera. Colon. An. 1552. p. 88.*

*Qui habet sponsam sponsus est, amicus autem sponsi qui
stat, & audit eum, gaudio gaudet propter vocem sponsi.
—Ego factus sum amicus sponsi, cui sponsus
amicabiliter ait, Amice ascende superius: illius
Successor effectus qui terna responsione dixit
sponso, Domine tu scis quia amo te. Utinam amem
sponsum sicut amatus sum a sponso.—Quid enim
ultra mihi facere potuit, in quo valuit me plus
amare? Accumulavit enim in me bona naturæ,
multiplicavit in me munera gratiæ, contulit mihi
spiritualia beneficia, superaddidit temporalia, spero
quidem quod donabit æterna. Si gloriari oportet,
non expedit quidem, quia cui plus committitur,
plus ab eo exigitur: juxta regulam veritatis.
—Qui major est inter vos erit omnium servus, & qui
præcessor tanquam ministrator. Matt. 20.—Propter
causam vero fornicationis Ecclesia Romana posset
dimittere Romanum Pontificem. Fornicationem non
dico carnalem, sed spirituales, quia non est carnale
sed spirituale conjugium, id est, propter infidelitatis
errorem.—Ego tamen facile non crediderim ut
Deus permetteret Romanum Pontificem contra
fidem errare, pro quo spiritualiter oravit in Pe-
tro: Ego, inquit, pro te rogavi, Petre, &c. Ergo
qui habet sponsam sponsus est. Hæc autem sponsa
non nupsit vacua, sed dotem mihi tribuit absque
pretio pretiosam, spiritualium videlicet plenitudi-
nem, & latitudinem temporalium, magnitudinem
& multitudinem utrorumque. Nam cæteri vo-*

cati sunt in partem sollicitudinis, solus autem Petrus assumptus est in plenitudinem potestatis. In signum spiritualium contulit mihi mitram, in signum temporalium dedit mihi coronam. Mitram pro sacerdotio, coronam pro regno; Illius me constituens Vicarium, qui habet in vestimento & in scemore suo scriptum: *Rex Regum & Dominus Dominantium.*—*Sacerdos in æternum, secundum ordinem Melchisedeck.*

N U M B. III.

Decree of Pope Boniface VIII. See the *Antwerp Edition of the CORPUS JURIS CANONICI, jussu Gregorii XIII. editum, An. 1648. EXTRAVANT. COMMUN. De Majoritate & Obedientia, Lib. I. Tit. 8. p. 132.*

Bonifacius VIII.

UNAM sanctam Ecclesiam Catholicam, & ipsam Apostolicam, urgente fide credere cogimur & tenere. Nosque Hanc firmiter credimus & simpliciter confitemur, *extra quam nec salus est, nec remissio peccatorum*: sponso in Canticis proclamante: *Una est columba mea, perfecta mea, una est matri suæ, electa genetrici suæ.* quæ unum corpus mysticum repræsentat, cujus caput Christus, Christi vero Deus. In quâ unus Dominus, una Fides, unum Baptisma. Una nempe fuit Diluvii tempore *Arca Noë*, unam Ecclesiam præfigurans, quæ in uno cubito consummata, unum (*Noë* videlicet) gubernatorem habuit & rectorem, extra quam omnia subsistentia super terram legimus fuisse deleta. Hanc autem veneramur & unicam, dicente Domino in Propheta: (*Ps. 21.*) *Erue a frumetu Deus animam meam, & de manu canis unicam meam.* Pro anima

anima enim, id est, pro seipso capite simul oravit & corpore, quod corpus unicam scilicet Ecclesiam nominavit, propter Sponsi fidei sacramentorum & charitatis Ecclesiæ unitatem. Hæc est *tunica illa Domini* (Johan. 29.) *inconsutilis, quæ scissa non fuit, sed forte provenit.* Igitur Ecclesiæ unus. & unicæ unum corpus, unum caput, (non duo capita, quasi monstrum) Christus videlicet, & Christi vicarius Petrus, Petrique successor : dicente Domino ipso Petro : *pasce oves meas* (Johan 21) inquit & generaliter, non singulariter *has vel illas*, per quod commisisse sibi intelligitur *universas*. Sive ergo *Graci*, sive *alii* se dicunt Petro ejusque successoribus non esse commissos, fateantur necesse *se de ovibus Christi non esse* : dicente Domino in Joanne : (10) *unum ovile & unicum esse pastorem.* In hac ejusque potestate, duos esse *gladios, spirituales* videlicet & *temporalem*, evangelicis dictis instruimur. Nam, dicentibus Apostolis, *Ecce gladii duo hic* : (in Ecclesiâ scilicet, cum Apostoli loquerentur) non respondit Dominus, nimis esse, sed *satis*. Certe qui in potestate Petri *temporalem gladium* esse negat, male verbum attendit Domini proferentis : *Converte gladium tuum in vaginam.* (Matt. 26.) *Uterque ergo est in potestate Ecclesiæ*, spiritualis scilicet gladius & materialis. Sed is quidem *pro Ecclesia* ille vero *ab Ecclesia* exercendus ; ille sacerdotis, is manu regum & militum, sed ad nutum & patientiam sacerdotis. Oportet autem gladium esse sub gladio, & temporalem auctoritatem spirituali subjici potestati. Nam cum dicat Apostolus : *non est potestas nisi a Deo : quæ autem sunt, a Deo ordinatæ sunt* : (Rom. 13.) non autem ordinatæ essent, nisi gladius esset sub gladio, & tanquam inferior reduceretur per alium in suprema. Nam secundum B. Dionysium : lex divinitatis est, infima per media in suprema reduci. Non ergo secundum ordinem

Universi

Universi omnia æque, ac immediate, sed infima per media, & inferiora per superiora, ad ordinem reducuntur. Spiritualem autem & dignitate & nobilitate terrenam quamlibet præcellere Potestatem, oportet tanto clarius nos fateri, quanto spiritalia temporalia antecellunt. Quod etiam ex decimarum datione & benedictione & sanctificatione, ex ipsius potestatis acceptione, ex ipsarum rerum gubernatione clavis oculis intuemur. Nam Veritate testante, spiritalis potestas terrenam potestatem instituere habet, & judicare, si bona non fuerit. Sic de Ecclesia & Ecclesiastica potestate verificatur vaticinium *Hieremiæ*: (1.) *Ecce constitui te hodie super gentes & regna: & cætera quæ sequuntur.* Ergo si deviat terrena potestas judicabitur a potestate spiritali; sed si deviat spiritalis minor, a suo superiori; si vero suprema, a solo Deo non ab homine poterit judicari—testante Apostolo: *spiritualis homo judicat omnia, ipse autem a nemine judicatur.* Est autem hæc auctoritas (etsi data sit homini, & exerceatur per hominem) non humana sed potius divina; ore divino Petro data, sibique suisque successoribus, in ipso quem confessus fuit, petra firmata: Dicente Domino ipsi Petro: *Quodcunque ligaveris &c.* (Matt. 16.) Quicumque igitur huic potestati a Deo sic ordinata resistit, Dei ordinationi resistit. Nisi duo (sicut *Manichæus*) fingat esse principia, quod falsum & hereticum judicamus: quia (testante *Mose*, Gen. 1.) non *In principiis* sed *In principio cælum Deus creavit & terram.* Porro, subesse Romano Pontifici omni (d) humanæ creaturæ declaramus, dicimus, definimus & pronunciamus omnino esse de necessitate salutis. DATUM Laterani Pontificatus nostri anno octavo.

(d) *Al. ita. omnem humanam creaturam.*

N U M B. IV.

WITH these productions of *Innocent III.* and *Boniface VIII.* contained in the last two Numbers, I shall contrast the following Epistle, written by Pope *Gregory the Great*, A. D. 595, in the 5th year of his Pontificate, to *John* surnamed *Jejunator*, the *Faster*, Patriarch of *Constantinople*, who had claimed the title of *Oecumenicus* or *Universal Bishop*, and got his title confirmed by the *Constantinopolitan Council*, A. D. 588. Pope *Pelagius II.* *Gregory's* predecessor, had, it is true, rescinded this determination of the Council, and thundered a threat of excommunication against *John* and the *Bishops* who composed it, unless they desisted from the use of "so *profane* an expression:" (hoc tam *profano* vocabulo) which being disobeyed by them, gave birth to the following celebrated Letter—published most correctly in the earliest editions of *Gregory's* works. See the *Basil* edition, 1564, or the *Antwerp*, 1615. *Epist.* Lib. iv. No. 38.

GREGORIUS JOANNI EPISCOPO CONSTANTINOPOLITANO.

Eo tempore quo fraternitas vestra in sacerdotalem honorem provecta est, quantam Ecclesiarum pacem atque concordiam invenerit, recolit. Sed quo ausu, quove tumore nescio, novum sibi conata est nomen arripere, unde omnium fratrum corda potuissent ad scandalum pervenire. Qua in re, vehementer admiror, quia ne ad Episcopatum venire potuisses, fugisse velle te memini. Quem tamen adeptum ita exercere desideras, ac si ad eum ambitioso desiderio concurrisses. Qui enim indignum te esse

esse fatebaris ut episcopus dici debuisses, ad hoc
 quandoque perductus es, ut despectis fratribus,
episcopus appetas *solus* vocari. Et quidem hac de
 re sanctæ memoriæ decessoris mei *Pelagii* gravia
 ad sanctitatem vestram scripta transmissa sunt.
 In quibus Synodi quæ apud vos [Constantinop.]
 de fratris quondam et confacerdotis nostri *Gre-*
gorii [Episcopi Antiochenfis] causâ congregata
 est, *propter nephandum elationis vocabulum*, Acta
 dissolvit: Et Archidiaconum quem juxta mo-
 rem, ad vestigia Dominorum transmiserat, mis-
 sarum vobiscum solennia celebrare prohibuit.
 Post ejus vero obitum, cum indignus ego ad
 Ecclesiæ regimen adductus sum, et antè per
 alios responsales meos, & nunc per communem
 filium meum *Sabinianum* Diaconum alloqui
 fraternitatem vestram ut a tali se præsumptione
 compesceret, non equidem scripto, sed nudo
 sermone curavi. Et si emendari nollet, eum
 missarum solennia cum fraternitate vestra ce-
 lebrare prohibui; ut sanctitatem vestram prius
 sub quadam verecundiæ reverentia pulsarem:
 quatenus, si emendari *nephandus ac profanus*
tumor verecunde non posset, tunc ad ea debuisset
 quæ sunt districta atque *canonica* perveniri. Et
 quia refecanda vulnera prius levi manu palpanda
 sunt, rogo, deprecor, & quanta possum dul-
 cedine exposco, ut fraternitas vestra cunctis
 sibi adulantibus atque *erroris nomen* deferentibus
 contradicat, nec *stulto ac superbo vocabulo* appel-
 lari consentiat. Vere enim flens dico, atque ex
 intimo viscerum dolore peccatis meis reputo,
 quod ille meus frater nuncusque ad humilitatem
 reduci non valuit; qui ad hoc in episcopatus
 gradu constitutus est, ut aliorum animas ad
 humilitatem perducatur; quod ille qui veritatem
 docet alios, semet ipsum docere, nec me quo-
 que

que deprecante, consensit. Perpende rogo, quia in hac *præsumptione temeraria* pax totius turbetur Ecclesiæ, & gratiæ contradicitur *communiter omnibus* effusæ. In qua nimirum ipse tantum crescere poteris, quantum penes temet ipsum decreveris: Tantoque major efficeris, quanto te a *superbi & stulti vocabuli usurpatione* restringis. Atque in tantum proficis, in quantum *tibi* non studueris *derogando* fratribus arrogare. Humilitatem ergo frater charissime totis visceribus dilige, per quam cunctorum fratrum concordia, & sanctæ universalis Ecclesiæ unitas valeat custodiri. Certe Paulus Apostolus cum audiret quosdam dicere (1 Cor. 1.) *Ego sum Pauli, Ego Apollo, ego vero Cephæ*: hanc dilacerationem Corporis Dominici, per quam membra ejus aliis quodam modo se capitibus sociabant, vehementissime perhorrescens, exclamavit dicens: *Nunquid Paulus pro vobis crucifixus est, aut in nomine Pauli baptizati estis?* Sic ergo, ille membra Dominici corporis certis extra Christum quasi capitibus, & ipsis quidem apostolis subjici particulariter evitavit: *Tu quid Christo, universalis scilicet Ecclesiæ capiti, in extremi judicii es dicturus examine, qui cuncta ejus membra tibi met conaris universalis appellatione supponere?* Quis rogo in hoc tam *perverso vocabulo*, nisi ILLE ad imitandum proponitur, qui despectis angelorum legionibus secum socialiter constitutis, ad culmen conatus est singularitatis erumpere, ut et nulli subesse, & solus omnibus præesse videretur? Qui etiam dixit: (Esa 14) *In cælum conscendam, supra astra cæli exaltabo solium meum, sedebo in monte testamenti in lateribus aquilonis. Ascendam super altitudinem nubium, similis ero Altissimo. Quid enim fratres tui omnes, universalis Ecclesiæ Episcopi, nisi astra cæli sunt?* Quorum vita simul & lingua inter peccata erroresque hominum quasi inter noctis tenebras lucent.

lucent. Quibus dum cupis temet ipsum *vocabulo elationis* præponere, eorumque nomen tui comparatione calcare; quid aliud dicis, nisi *In cælum conscendam, super astra cæli exaltabo solium meum?* Annon Universi Episcopi *nubes* sunt, qui et verbis prædicationis *pluunt*, & bonorum operum luce *coruscant*? Quos dum vestra fraternitas despiciens, sub se premere conatur, quid aliud dicit, nisi hoc quod ab ANTIQUO HOSTE dicitur: *Ascendam super altitudinem nubium?* Quæ cuncta ego cum flens conspicio, & occulta Dei iudicia pertimesco, augentur lachrymæ, gemitus se in meo corde non capiunt, quodd ille vir sanctissimus Dominus *Joannes* tantæ *abstinentiæ* atque humilitatis, suorum familiarium *seductione*, linguarum ad tantam *superbiam* erupit, ut in appetitu *perversi nominis* illi esse conetur similis, qui dum superbe esse similis Deo voluit, etiam donatæ similitudinis gratiam amisit, & ideo veram beatitudinem perdidit, quia falsam gloriam quæsit. Certe *Petrus* Apostolus *primum membrum* sanctæ et universalis Ecclesiæ est: *Paulus, Andreas, Joannes*, quid aliud quàm *singularium* sunt plebium capita? Et tamen sub uno capite *omnes membra* sunt Ecclesiæ. Atque ut cuncta brevi cingulo locutionis astringam: *Sancti ante legem, sancti sub lege, sancti sub gratia, omnes hi perficientes Corpus Domini, in membris sunt Ecclesiæ constituti, & nemo se unquam universalem vocare voluit.* Vestra autem sanctitas agnoscat quantum apud se tumeat, quæ illo nomine vocari appetit, quo vocari nullus præsumpsit qui veraciter sanctus fuit. Nunquid nam, sicut vestra sanctitas novit, per venerandum *Chalcedonense* [A. D. 451.] concilium *hujus Apostolicæ sedis Antistites*, cui Deo disponente deservio, *universales, oblato honore, vocati sunt?* Sed tamen *nullus* unquam tali vocabulo appellari voluit, nullus sibi hoc *temerarium* nomen arripuit;

arripuit ; ne si *sibi* in pontificatus gradu gloriam singularitatis arriperet, hanc *omnibus fratribus* denegasse videretur. Sed hæc scio, quia vestrae sanctitati ab illis oriuntur, qui nobis deceptiosa familiaritate deserviunt ; contra quos peto, ut vestra fraternitas solerter invigilet, nec se eorum verbis fallendum præbeat. Tanto enim majores hostes credendi sunt, quanto magis laudibus adulantur. Relinque tales, et si omnino decepturi sunt, saltem terrenorum hominum, & non sacerdotum corda decipiant. *Sine mortuos sepelire mortuos suos* (Luc. 9.) Vos autem cum propheta dicite : *Avertantur statim erubescences, qui dicunt mihi Euge, Euge.* (Ps. 69.) Et rursus : *Oleum autem peccatoris non impinguet caput meum.* (Ps. 140.) Unde & bene quidam sapiens admonet : Multi sint pacifici tui, consiliarius autem sit unus tibi de mille. Corruptunt enim bonos mores colloquia mala. Antiquus enim hostis cor robustum irrumperere non valet, subjectas ei infirmas personas quaerit, & quasi contra alta moenia scalis apposisit ascendit. Sic *Adam* per subjectam mulierem decipit. Sic beato *Job* cum filios occidit, infirmam mulierem reliquit ; ut qui ejus cor, per se minime poterat, saltem si posset, per mulieris verba penetraret. Quicumque ergo juxta vos infirmi ac seculares sunt, in sua semper persuasionem atque adulationem frangantur ; qui inde æternas Dei inimicitias pariunt, unde ipsi perversi amatores videntur. Certe olim clamabatur per Apostolum Joannem (1 Joan. 2.) *Filioli, novissima hora est* : secundum quod Christus prædixit. Pestilentia & gladius per mundum sævit, gentes insurgunt gentibus, terra concutitur, orbis cum habitatoribus suis terra dehiscens sorbetur. Omnia enim quæ prædicta sunt, fiunt. Rex superbiæ prope est, & quod dici nephas est, sacerdotum est præparatus exitus ;

exitus ; quia cervici militans elationis, qui ad hoc positi fuerant ut ducatum præberent humilitatis. Sed hac in re, etiam si nostra lingua minime contradicat, illius virtus contra elationem in ultionem erigitur, qui superbæ vitio per semet ipsum specialiter adversatur. Hinc enim scriptum est : (Jac. 4.) *Deus superbis resistit, humilibus autem dat gratiam.* Hinc rursus dicitur : (Ecl. 10.) *Immundus est apud Deum qui exaltat cor.* Hinc contra superbientem hominem scriptum est : *Quid superbis terra & cinis ?* Hinc per semet ipsum Veritas dicit (Luc. 14, 13.) *Omnis qui se exaltat humiliabitur.* Quæ, ut nos ad viam vitæ per humilitatem reduceret, in semet ipsa dignata est, quod nos admonet, demonstrare, dicens : (Matt. 11.) *Discite a me, quia mitis sum & humilis corde.* Ad hoc namque unigenitus Dei Filius formam infirmitatis nostræ suscepit ; ad hoc invisibilis, non solum visibilis, sed etiam despectus apparuit ; ad hoc contumeliarum ludibria, illusionum probra, passionum tormenta toleravit, ut superbum non esse hominem, doceret humilis Deus. Quanta igitur humilitatis virtus est, propter quam solam veraciter edocendam, is qui sine æstimatione magnus est, usque ad passionem mortis factus est parvus ? Quia enim originem perditionis nostræ se præbuit superbia Diaboli, instrumentum redemptionis nostræ inventa est humilitas Dei. Hostis quippe noster, inter omnia conditus, videri supra omnia voluit elatus. Redemptor autem noster magnus manens supra omnia, fieri inter omnia dignatus est parvus. Quid ergo nos Episcopi dicimus, qui honoris locum ex redemptoris nostri humilitate suscepimus, ac tamen superbiam hostis ipsius imitamur ? Ecce novimus Creatorem nostrum de suæ celsitudinis culmine, ut humano generi daret gloriam, descendisse ; & nos de infimis creati, de fratrum

minoratione gloriamur. Humiliavit se usque ad nostrum pulverem Deus, & in cœlos os suum ponit, & super terram lingua pertransit pulvis humanus, & non erubescit; non metuit extolli homo putredo, & filius hominis vermis. Reducamus ad animum frater charissime hoc quod per sapientissimum Salomonem dicitur: (Eccl. 32.) *Ante tonitruum præibit coruscatio, & ante ruinam exaltabitur cor.* Ubi è diverso subjungitur: *Ante gloriam humiliabitur.* Humiliemur ergo mente, si ad solidam conamur venire celsitudinem. Nequaquam per elationis fumum oculi cordis obscurantur; qui quanto magis excreverit, tanto celerius evanescit. Pensemus quid nos præcepta admoneant Redemptoris nostri dicentis: *Beati pauperes spiritu, quoniam ipsorum est regnum cœlorum.* Hinc etiam per prophetam dicit: (Isai. 66.) *Super quem requiescet spiritus meus, nisi super humilem & quietum, & tremmentem sermones meos?* Certe cùm Dominus ad humilitatis viam adhuc infirmantia discipulorum corda reduceret, dixit: Si quis vult inter vos primus esse, erit omnium minimus. Qua in re, aperte cognoscitur, quoniam ille veraciter sublimis est, qui in suis cogitationibus humiliatur. Formidemus ergo in illorum numerum adscribi, qui primas in synagogis cathedras quærunt, et salutationes in foro, et vocari ab hominibus Rabbi. Quos contra Discipulis Dominus dixit: *Vos autem nolite vocari Rabbi.* Unus enim magister vester est, vos autem omnes fratres estis. Et, *Patrem noli se vocare vobis super terram; unus est enim pater vester.* Quid ergo frater charissime in illo terribili examine venientis judicis dicturus es, qui non solum pater, sed etiam generalis pater in munda vocari appetis? Caveatur ergo malorum prava suggestio, fugiatur omnis instigatio Diaboli. (Matt. 18.) *Oportet quidem*

dem ut veniant scandala ; veruntamen vā homini illi per quem scandalum venit. Ecce ex hoc nefando elationis vocabulo Ecclesia scinditur : Fratrum omnium corda ad scandalum provocantur. Nunquid nam mente excidit quod Veritas dicit : Qui scandalizaverit unum de pusillis illis qui in me credunt, expedit ei ut suspendatur mola asinaria in collo ejus, et demergatur in profundum maris ? Scriptum vero est : (1 Cor. 13.) *Charitas non quærit quæ sua sunt.* Ecce vestra fraternitas sibi arrogat etiam aliena. Rursus scriptum est : (Rom. 12.) *Honore invicem prævenientes.* Et tu conaris eum omnibus tollere, quem tibi illicite desideras singulariter usurpare. Ubi est, frater charissime, quod scriptum est : *Pacem habete cum omnibus et sanctimoniam, sine qua nemo videbit Deum ?* Ubi est quod scriptum est : *Beati pacifici, quoniam filii Dei vocabuntur ?* Considerare nos convenit, ne qua radix amaritudinis sursum germinas impediatur, & per illam coinquentur multi. Quod tamen si considerare negligimus, contra tantæ elationis tumorem judicia superna vigilabunt. Et nos quidem in quos talis tantaque per ausum nepharium culpa committitur, servamus quod Veritas præcepit : *Si peccaverit in te frater tuus, vade, et corripe eum inter te et ipsum solum. Si te audierit, lucratus eris fratrem tuum. Si autem te non audierit, adhibe tecum adhuc unum vel duos, ut in ore duorum vel trium testium, stet omne verbum : Quod si non audierit eos, dic Ecclesiæ : Si autem Ecclesiam non audierit, sit tibi sicut Ethnicus et publicanus.* Ego itaque per responsales meos semel & bis verbis humilibus hoc quod in tota Ecclesia peccatur, corripere studui : nunc per me scribo. Quicquid facere humiliter debui, non omisi. Sed quia in mea correptione despicior, restat ut Ecclesiam debeam adhibere. Hæc itaque dicens, Omnipotens Deus fraternitati

indicet, quanto circa vos amore constringor: quantumque in hac causa, non contra vos, sed pro vobis lugeo. In qua tamen, *præceptis Evangelicis, institutionibus Canonum, utilitatibus fratrum*, personam præponere non possum, nec ejus quem multum amo. Scripta autem sanctitatis vestræ dulcissima atque suavissima de causâ presbyterorum Joannis & Athanasii suscepi, de qua vobis in subsequentibus Domino adjuvante respondebo: quia sub tantis tribulationibus circumfusus Barbarorum gladiis premor, ut non dico multa tractare, sed mihi respirare vix liceat."

What effect this letter wrought upon John does not appear. *Bzovius*, in his *Historia Ecclesiastica*, informs us, p. 1370, "That John died the ensuing year, 596, whether penitent or not is uncertain; and that Gregory mourned for him, as *Samuel* of old for *Saul*."

And whereas it may be objected, that *Gregory* condemned *John* for usurping a title which lawfully belonged to the Bishop of Rome only: In his letter to the Emperor *Mauritius*, he declares:—"Nunquid ego hac in re piissime Domine propriam defendo? nunquid specialem injuriam vindico?—" Ego autem fidenter dico, quia *quisquis* se universalem sacerdotem vocat, vel vocari desiderat, in elatione sua Antichristum præcurrit, quia superbiendo se cæteris præponit." *Lib. 6. Epist. 30.* "Do I, in this matter, most pious Lord, maintain my own right? do I vindicate a special injury?—" I assert confidently, that *whosoever* calls, or desires himself to be called *Universal Priest*, is, in his arrogance, the forerunner of *Antichrist*: "because, by this haughty demeanour, he sets himself above the rest of his Brethren."

N U M B. V.

I purpose, in this *number*, to sketch out the rise, progress, and establishment of the *Ecclesiastical Jurisdiction* of the See of *Rome*, over the whole *Western Church*; and also, the Introduction, and successive Variations of the *Episcopal Oath* taken at Consecration.

The four first General Councils of *Nice*, *Constantinople*, *Ephesus* and *Chalcedon*, (which *Gregory the Great* professed that he embraced as the four Gospels) confined the jurisdiction of the Bishops of *Rome*, equally with the other Patriarchs, to their respective Sees or Dioceses. The Council of *Nice*, A. D. 325, divided the Regimen of the whole Christian Church into four Patriarchal Sees, viz. *Rome*, *Alexandria*, *Antioch*, and *Jerusalem*. To these was afterwards added the See of *Constantinople*, when that city became the Residence of the Roman Emperors. The Council of *Constantinople*, A. D. 381, gave *Rome* the precedence, not of jurisdiction but of order, such as to sit first, vote first, on account of the ancient imperial rank of that City. At the same time, by their *second Canon*, they enjoined the Bishops of one diocese not to meddle, under any pretence, in the affairs of another; and prohibited appeals to the see of *Rome* from other Dioceses. And by their *third Canon*, raising the See of *Constantinople* over the heads of the Rest, they placed it next in rank to that of *Rome*. (See *Labbei Concilia*. Tom. 2. p. 947.) Which was afterwards confirmed by the Council

Council of *Chalcedon*, A. D. 451. (See *Concilia*. Tom. 4. p. 838.)

1. About this period, a practice was introduced, of which the ever vigilant policy of the Roman Pontiffs availed itself to extend their Jurisdiction. The *Transalpine* Bishops, after the fifth century, were accustomed to undertake pilgrimages to visit the tombs of *St. Peter* and *St. Paul* at *Rome*; either out of bigotry and superstition, or else, to shew their approbation and adoption of the doctrine of these Apostles. This voluntary act of devotion, was afterwards, converted by the Roman Pontiffs, into an act of necessity, and the Bishops who neglected doing so, were excommunicated. And "from this custom," says the judicious *Puffendorf*,* "without doubt, the Popes have pretended to oblige all Bishops to take their confirmation at *Rome*."

2. To this we may add, the refined policy of appointing *Legates* in the several kingdoms of Europe, with commission, to watch over the interests of the See of *Rome*, and to prevent any measures detrimental thereto. These Legates, in return, and also, to render their own office more respectable, omitted no opportunity of extending the Pope's jurisdiction. Thus, the *French* Historians tell us, that when the Emperor *Honorius*, early in the fifth century, had erected the city of *Arles* into a metropolis over seven of the sixteen provinces into which *France* was at that time divided; the Pope, apprehensive that the Archbishop of *Arles* might erect himself into a Patriarch of the whole kingdom, appointed him his Legate, or *Vicar General*, in *France*.

* See *Puffendorf's History of Popedom*, translated from the High Dutch, London, 8vo. 1691, p. 56.

3. Afterwards, in the eighth century, when the Ecclesiastics and Monks were become infamous for the irregularity of their lives, *Winifred*, an English Monk, afterwards named *Boniface*, moved with an extraordinary zeal, undertook to reform the manners of the Clergy; and also, to introduce and plant the Christian Religion in some parts of Germany, especially in *Turing* and *Friesland*: In order to give a greater lustre to his Mission, *Boniface* devoted himself to the See of Rome, from whence he first received a bishops' Pall, and afterwards was dignified with the Title of Archbishop of *Mentz*, by Gregory II. and constituted his Vicar, with plenary authority to assemble councils and make Bishops in the Countries which he had converted. The oath which he took upon this occasion to *Gregory*, in the year 723, is preserved among his Epistles, *Post Epist.* 117. L. 1. Vit. C. 19. *Mogunt*, p. 343, and is as follows:

" In nomine Domini Dei & Salvatoris nostri Jesu Christi, imperante Domino Leone a Deo coronato magno Imperatore, Anno sexto, post consulatum ejus Anno sexto, sed et Constantino magno Imperatore ejus filio, Anno quarto, Indictione sexta.

" Promitto Ego Bonifacius, gratia Dei Episcopus, vobis beato Petro Apostolorum Principi, Vicarioque tuo beato Papæ Gregorio, successoribusque ejus, per Patrem & Filium & Spiritum Sanctum, Trinitatem inseperabilem, & hoc sacratissimum corpus tuum, Me omnem fidem & puritatem sanctæ fidei Catholicæ exhibere: & in unitate ejusdem fidei, Deo cooperante persistere: in qua omnis Christianorum salus sine dubio esse comprobatur: nullo modo me contra unitatem communis & universalis Ecclesiæ, suadente quopiam, consen-
tire:

tire : Sed ut dixi, fidem et puritatem meam atque concursum tibi & utilitatibus tuæ Ecclesiæ, cui a Domino Deo potestas ligandi solvendique data est, & prædicto Vicario tuo atque Successoribus ejus per omnia exhibere. Sed & si cognovero Antistites contra instituta antiqua Sanctorum Patrum conversari, cum eis nullam habere communionem aut conjunctionem : sed magis, si valuero prohibere, prohibeam : Si minus vero, fideliter statim Domino meo Apostolico renunciabo. Quod si, quod absit, contra hujus promissionis meæ seriem aliquid facere quolibet modo, seu ingenio, vel occasione tentavero, reus inveniar in æterno judicio ; ultionem Ananiæ & Saphiræ incurram, qui Vobis, etiam de rebus propriis fraudem facere, vel falsum dicere præsumpserunt.

“ Hoc autem indiculum sacramenti, Ego Bonifacius exiguus Episcopus, manu propria scripsi, atque positum supra sacratissimum corpus tuum, ut superius leguntur, Deo teste & judice, præstiti sacramentum, quod & conservare promitto.”

In the name of our Lord God and our Saviour Jesus Christ, in the sixth year of the reign of Leo, [III] crowned by God, great Emperor, [A. D. 717.] the sixth year after his Consulate; and the fourth year of Constantine great Emperor his Son, the sixth Indiction.

I Boniface, by the grace of God, Bishop, promise to you, blessed Peter Prince of the Apostles, and to thy Vicar, blessed Pope Gregory, and his Successors, by the Father, the Son, and the Holy Ghost, the inseparable Trinity, and by this thy most sacred body, that I will manifest all the faith and purity of the Holy Catholic Faith, and, with God's assistance, persist in the unity of the same faith, in which the Salvation of all Christians is proved without doubt to consist ;
that

that I shall in no sort, by the persuasion of any person, consent against the unity of the common and universal Church; but, as I have said, that my faith, purity and concurrence with thee, (to whom was given by the Lord God the power of binding and loosing) and the interests of thy church, and with thy Vicar aforesaid and his Successors, in all things I will manifest. But and if I shall know that the Bishops converse contrary to the ancient Institutions of the Holy Fathers, I will have no communion or connexion with them, but rather, if I shall be able, will prohibit them; if not, will faithfully give notice forthwith to my apostolical Lord. And if, which God forbid, I shall attempt to do any thing contrary to the tenor of this my promise, any manner of way, either by design or opportunity, may I be found guilty in the Eternal judgment; may I incur the punishment of Ananias and Sapphira, who, even concerning their own possessions, presumed to commit a fraud, or declare a falsehood to You.

This breviaate of an Oath, I Boniface, an inconsiderable Bishop, have written with my own hand, and having laid it on thy most sacred body, as before mentioned, I have taken the oath, which I also promise to keep, God being my witness and judge.

It appears, however, from another letter of Boniface, written to Pope Zacharias 22 years after taking this oath, that He had taken a former oath eight years before to Pope Gregory II. in the year 716. These are his words (Epist. 135.)

“Postquam me, ante annos prope triginta, sub familiaritate & servitio apostolicæ sedis, annuente & jubente venerandæ memoriæ antistite Apostolico Gregorio anteriore, voto constrinxi, &c.”

“After

“ After that I had bound myself near thirty years ago, by a vow, under the household and service of the Apostolical See, with the approbation and command of the former Pope Gregory, of venerable memory, &c.”

Boniface died in the year 755.

4. The mission of a Partizan so zealous in the service of the Popedom for almost forty years, was not unprofitable. When *Charlemagne* signified his desire of reforming Church discipline, *Boniface* readily undertook that province, and held a council in *Germany*; as also several Synods in *France* at the request of *Pepin*: In all which assemblies, he presided *tanquam Legatus sedis Romanæ*, to the no small advantage of the Romish See. For, in the first Council, the clergy signed a confession of Faith, whereby they bound themselves to persist in the Catholic Faith; professed themselves members of the Church of Rome; and vowed an eternal respect and obedience to *St. Peter's Successors*. This same *Boniface* (generally called the *Apostle of the Germans*) persuaded the Bishops of *Germany* to accept of the *Pall* from the Pope; who afterwards introduced this ceremony into *France*, in order to bind the *French* prelates thereby the faster to his interests; and so soon as he had once accustomed them to the use of that sort of Robe, he afterwards imposed it as an indispensable requisite, and forbade them the exercise of any Episcopal Function, until they should have received the *Pall* from Rome.

5. The form of an Episcopal Oath enjoined by *Gregory III.* (probably on this occasion) is preserved in the *Decretals* of *Gregory IX.* Lib. ii. Tit. 24. c. 4. p. 113, published in the *Corpus Juris Canonici*, *Antwerp*, 1648. and is as follows:

Jura-

Juramentum Episcopi.

“ Ego N. Episcopus, ab hac hora in antea fidelis ero Sancto Petro, Sanctæque Romanæ Ecclesiæ, Dominoque meo Papæ C. ejusque Successoribus canonice intrantibus. Non ero neque in consilio neque in facto, ut vitam perdat aut membrum, vel capiatur mala captione. Consilium quod mihi aut per se, aut per literas, aut per nuntium manifestabit, ad ejus damnum nemini pandam. *Papatum Sanctæ Romanæ Ecclesiæ, et regulas sanctorum Patrum, adjutor ero ad defendendum et retinendum (salvo ordine meo) contra omnes homines.* Vocatus ad Synodum veniam, nisi præpeditus Canonica præpeditio. Legatum Apostolicæ sedis quem certum esse cognovero, in eundo & redeundo honorifice tractabo, & in suis necessitatibus adjuvabo. Limina Apostolica singulis annis, aut per me aut per certum nuntium visitabo, nisi eorum absolvar licentia. Sic me Deus adjuvet, & hæc sancta Evangelia.”

The Episcopal Oath.

“ I. N. Bishop, from this hour forward, will be faithful to St. Peter, and the holy Roman Church, and to my Lord Pope C. and his successors canonically entering. I will neither be of counsel nor act, whereby he may lose life or member, or be taken by evil capture. The counsel which to me he shall make known, either by himself, or by letter, or by messenger, to his detriment I will not disclose to any person. *The papacy of the Holy Roman Church, and the Rules of the Holy Fathers, I will be an assistant to defend and retain (saving mine own order) against all men.* When called to a Synod I will come, unless I shall be prevented by canonical impediment. The Legate of the Apostolic See, whom I shall know for a certainty

tainty to be such, both going and coming, I will honourably entreat, and in his necessities assist. The Thresholds of the Apostles I will every year visit, either personally or by a trusty messenger, unless I be absolved by their license. So help me God and these Holy Gospels."

6. That this oath, however, was by no means in general use about this period, is evident from a collection of sixteen of the most *ancient Latin Rituals* by *Morinus*, in his curious work, *De Sacris Ecclesiæ ordinationibus*. Paris, 1655. These exhibit a clear view of the *Ordinations* of the *western Church*, and of their successive *variations* for seven ages, commencing from the beginning of the sixth century; and demonstrate, that the *present Romish Ritual* deviates as widely from the ancient and *primitive* forms of ordination in the *Latin Church*, as our *Reformed Ritual* from the *Romish*; so as entirely to do away the scruples raised by the *Controversialists* of that church, against the validity of our *Ordinations*, drawn from our departure from their forms.

In none of those *Rituals* is there the smallest trace to be found of any oath to be taken by Bishops to the Pope. In the seventh Ritual, p. 290, composed about the year 850, a promise indeed of Obedience to the mother See is required at consecration. *Vis esse subditus huic nostræ Sedi atque obediens?* But this was no more than what every Metropolitan required of all the Bishops under him. The eighth Ritual, p. 294, composed about the same period with the foregoing, contains the subscriptions of 20 Bishops and upwards, all in these words nearly: *Ego Episcopus N. promitto debitam subjectionem et reverentiam sanctæ matri Ecclesiæ SENONUM, suisque Præsulibus: ore promitto, et manu confirmo.* These subscriptions, however, are not written regularly, in one place, or in the
part

part relating to consecration, but on the vacant margin of the MSS. at random; and appear therefore to have been merely voluntary.

The ninth Ritual (p. 298) composed about the year 950, in the reign of *Lewis IV.* begins with the mode of appointing Bishops in those times. The Bishop was nominated by the Clergy and inhabitants of the district, and their nomination confirmed by the King, the Archbishop, and the People. *Electio quomodo a Clero et a Populo eligitur Episcopus in propria sede, cum consensu Regis, Archiepiscopis, et omniumque Populorum.* Then follows; a promise of obedience to the patriarchal See, in which we find no mention of the Pope or Sec of Rome.

Promissio.

“In nomine altithroni Conditoris, Regis æterni. Ego N. humilis Christi famulus licet indignus, ad episcopalem ill. Ecclesiæ sedem electus, ad regendam eam Deoque servatam, suppliciter confiteor, cum omnipotentes Dei auxilio, & quantam voluerit mihi gratiam superna sapientia revelare, & vitam commodare in hoc sæculo: Quod ego sancto * Salvatore mundi ill. & venerando Patriarchæ ill. ejusque successoribus quem superna prævidet gratia & nobis prædestinat in Patrem, devota & fidei mente semper deservire & obedire desidero: stabilemque me esse, permanentem sine aliqua dissimulatione & deceptione omnibus diebus, quam diu spiritus est in naribus meis, & vita comes fuerit, nunquam ad dextram neque ad sinistram ab illa sede ill. Ecclesiæ quæ caput est, sed sine aliquo scrupulo Diabolicæ fraudis, & humili devotione

* *Morinus* reads *sanctæ* *Salvatoris mundi*, which is evidently corrupt.

tionem & sincera mente, illi præfato Patri illi & successoribus ejus, quem Divina gratia ad illam sanctam Sedem prædestinavit Episcopum, deservire & obedire omnibus viribus meis Deo omnipotenti confiteor. Et illam sanctam Apostolicam Sedem quam patres nostri digne servaverunt cum omni humilitate & obedientia, divina simul & humana, sicut prædecessores mei ipsa sede sancta Ecclesiæ Christi subjecti sunt, semper servare me velle humiliter per omnia fateor: Et quod illi hic & ibi juste plebi Dei prædicaverunt, & custodiendo impleverunt, hoc prædicare & observare non cesso, favente & volente pio Domino, & Salvatore nostro, Jesu Christo."

The Promise.

"In the name of the high enthroned Creator, the King eternal. I, N. an humble, though unworthy servant of Christ, elected into the illustrious Episcopal See of this Church, do suppliantly profess, that to govern and preserve it to God, I will, with Almighty God's assistance, employ whatever grace or life his heavenly wisdom shall please to reveal or grant unto me in this world: That I will, with a devout and faithful mind, be always desirous to serve and obey the Illustrious Holy Saviour of the World, and the ill. venerable Patriarch and his successors, whom Heavenly grace hath foreseen and predestined for our Father: And that I will be steadfast, persevering without any dissimulation and deceit, all my days, whilst the breath is in my nostrils, and life accompanies me, turning neither to the right nor to the left, from that illustrious See which is head of the Church, but without any particle of Diabolical fraud, and with humble devotion, and a sincere mind, I profess

profess to Almighty God, that the said ill. Patriarch and his Successors, whom Divine Grace hath predestined to that holy See, I will with all my might, serve and obey: And that Holy Apostolic See which our fathers worthily preserved both in things divine and human, with all humility and obedience, as my predecessors in this holy See were subject to Christ's Church, I profess that I will humbly wish to preserve in all things. And what they justly preached to God's people, both here and there, and carefully fulfilled, (our pious Lord and Saviour Jesus Christ so willing) that, I will not cease to preach and observe."

The 11th Ritual (p. 313) composed, as Morinus observes, by some Italian near Rome,—*ab Italo Romæ vicino compositum*, about the same period with the foregoing; (and more ancient than the *Ordo Romanus*, published in the *Biblioth. Patrum*, Lugd. Tom. 13, p. 657) recites the Decree of the clergy and people of the Church which had lost its Bishop, electing a successor.—*Communi voto atque consensu eligimus nobis in Pontificem, presbyterum illum nostræ Ecclesiæ*—and requesting the Pope to ordain him: *unanimiter postulantes et obsecrantes a vestra Majestate nobis illum ordinari Pontificem*—and signed by them all. And whereas in the former Rituals, there was only a general promise of obedience to the Metropolitan, required from the Bishop elect; instead of that, the two following Questions are put to him. Q. *Vis traditiones orthodoxorum Patrum, ac decretales sanctæ et Apostolicæ Sedis constitutiones reverenter suscipere, docere atque servare?* R. *Volo.*

Q. *Vis beato Petro, cui a Domino data est potestas ligandi atque solvendi, ejusque Vicario, successoribusque ejus fidem atque subjectionem exhibere?* R. *Volo.*

Q. *Wilt*

Q. Wilt thou reverently embrace, teach, and observe the Traditions of the orthodox Fathers, and the decretal Constitutions of the holy and Apostolic See? R. I will.

Q. Wilt thou shew fidelity and subjection to the Blessed Peter, to whom the Lord gave the power of binding and loosing, and to his Vicar and his Successors? R. I will.

But this latter question not being thought full enough, the Popes have since enlarged it: and it stands thus at present: *Vis beato Petro Apostolo, cui a Deo data est potestas ligandi atque solvendi; ejusque Vicariis, Romanis Pontificibus fidem, subjectionem, et obedientiam, secundum Canonica[m] auctoritatem exhibere?* Wilt thou shew forth fidelity, subjection, and obedience, according to Canonical authority, to the blessed Apostle Peter, and his Vicars the Roman Pontiffs?

To this Ritual, Morinus has added an ancient fragment of a Ritual, containing the following articles of examination at the ordination of a Bishop; which Decency forbids me to translate. *Inquirat illum [Archidiaconus] de quatuor capitulis secundum Canones—id est: De Arsenoquita, quod est coitus cum masculo; pro Ancilla Deo consecrata, quæ a Francis NONNA dicitur; pro quadrupedibus; et nudiere alii viro conjuncta, aut si conjugem habuit ex alio viro, quæ a Græcis dicitur Deuterogamia. Et dum nihil eorum ipse vir conscius fuerit, Evangelium ad medium deductis, jurat ipse electus Archidiacono, et posthac traditur Subdiacono, et pergit cum præfato electo ad aulam sanctæ matris Ecclesiæ, ibique supra ejus sacratissimum corpus confirmet, quod non cognovisset superius nominata capitula.*

Such were the blessed fruits, which sprung up in the Romish Church, from imposing and enforcing the celibacy of her Clergy, in conformity with what

what St. Paul ranks among the *Doctrines of Devils*—*Forbidding to marry*: When even so spotless a character, as a Candidate Bishop ought to be, could be required to clear himself of the *imputation* of such horrid Crimes! I shall further remark, that the *Pharisaical* spirit of that Age, ranked an Ecclesiastic's marrying a *widow*, (forbidden by no law of God or Nature) in the same predicament with those *abominations* which God punished with fire and brimstone from heaven!

7. In the year 1073, Gregory VII. before called *Hildebrand*, (*That prodigy of wickedness and Papal usurpation*, according to *Baronius*, Annal. 985.) contrary to the custom of his Predecessors, assumed the Papacy without the consent of the Emperor Henry IV. And not satisfied with this infringement of the Emperor's rights, claimed also, the power of appointing Bishops; and by dint of excommunication, and a formidable combination of the Bishops and other States of Germany, which he raised and fomented; compelled Henry, at length, to relinquish his right of appointing to Bishopricks, and leave them wholly in the Pope's disposal: Who, thenceforth (we may presume) enjoined *all* Bishops to take an Oath of allegiance to him at consecration. The form of his oath differed not materially from that in the *Pontifical* at present, as taken by the Bishop of *Aquileia*, A. D. 1079, after the sixth *Roman Council*, in which *Berengarius* was condemned under that same Pope.

Afterwards, Henry V. endeavoured to recover what Gregory had wrested from his Father; and actually seizing upon the person of Pope *Paschal II.* obliged him to restore the right of appointing Bishops; but the Clergy of Europe, over whom the

the Popes had by this time acquired an absolute ascendancy, were so discontented therewith, and so incessantly harrassed this Emperor, that they forced him in the year 1122 to resign for ever that prerogative to the Pope.

Not long before, the like dispute was kindled in England, and a warm contest subsisted several years, between *Henry I.* and *Anselm*, Archbishop of Canterbury, on the subject of Homage to a Laic; which the Church was inclined to abolish, together with the right of conferring Investitures. At length, in the year 1107, it was thus adjusted: The King agreed, to insist no longer upon his right of investing the Bishops, on condition that they, in acknowledgment of this favour, should do him homage. A Concession on their part not very pleasing to *Paschal*, who would have been better contented if they had refused to pay any sort of submission to their King; as he did actually forbid the Bishops of *France* to do: But *Lewis VI.* and his Successors, asserted their prerogative in this instance so vigorously, that the Pope was forced with disgrace to withdraw his pretensions.

8. In the year 1102 the Council of *Lateran*, under this same *Paschal*, appointed a new form of Oath, in the following terms:

“Anathematizo omnem Hæresin, & præcipue
 “eam quæ statum præsentis Ecclesiæ perturbat,
 “quæ docet & astruit Anathema contemnendum
 “& Ecclesiæ ligamenta spernenda esse: Pro-
 “mitto autem obedientiam Apostolicæ sedis
 “Pontifici, Domino *Paschali* ejusque successoribus,
 “sub testimonio Christi & Ecclesiæ; affirmans quod affirmat, damnans quod damnat
 “sancta universalis Ecclesia.”

“I anathematize every Heresy, and especially
 “that which disturbs the state of the present
 “Church,

“ Church, which teaches and asserts that an
 “ *Anathema* is to be contemned, and the Cen-
 “ sures of the Church to be despised: And I
 “ promise obedience to the Apostolic See, and to
 “ our Lord Pope *Paschal* and his Successors, un-
 “ der the testimony (or witness) of Christ and
 “ the Church; affirming what the Holy Uni-
 “ versal Church affirms, condemning what she
 “ condemns.”

This oath (if the references which *Labbe* and *Cossartius* make to the fifth and sixth Epistles of *Paschal*, be well grounded, (which may admit of doubt) was all that was imposed by that Pope; and that, not on all Bishops, but only on *Archbishops*, to whom he sent the Pall. And yet, from the first words of these Epistles it appears, that the Princes and States of Christendom looked on this moderate form compared with the subsequent, with amazement, as new and unprecedented. The former letter is directed to the Archbishop of *Palermo*, in *Sicily*; and the other to the Archbishop of *Poland*, (probably of *Gnesna*) both beginning with these words*:

“ Significasti Regem, & regni Majores ad-
 “ miratione permotos, quod pallium tibi ab
 “ Apocrisiariis nostris tali conditione oblatum
 “ fuerit, si sacramentum quod a nobis scriptum
 “ detulerant, jurares: &c.”

“ You have signified that the King and the
 “ Nobles of the kingdom were amazed, that
 “ the Pall was offered to you by our Legates on
 “ this condition, that you should take the oath
 “ which they had brought, written by us: &c.”

And if any curious reader wishes to be in-
 formed of the excellent reasonings which drop from

* Epist. 5 and 6. *Paschal* 4.

the infallible pen of *Paschal*, let him consult the rest of those Epistles.

9. In the Decretals of Pope *Gregory IX.* published by him in the year 1236, the Oath of *Gregory III.* which we gave above, (p. 27.) was revived, and appointed to be taken by all Bishops. Since his time, the Oath has been considerably enlarged. To enable the reader to judge of the successive improvements (if they may be called such) made in it, I shall set down the Oath as it stands in the oldest *Pontifical* I have met, printed at Venice in 1572; referring him to the masterly Publication of the Bishop of Cloyne, for the oath at present in use, which (as far as I can find) appears to have been first introduced in the *Pontifical* of *Clement VIII.* published at Rome in 1595, and differs in some respects from the *Venetian*, which I shall now give.

Forma Juramenti, Pontif. Rom. Venet. 1572.

Ego N. electus Ecclesie N. ab hac hora in antea fidelis & obediens ero beato Petro, sancteque Romanæ Ecclesie, & Domino nostro Domino N. Papæ N. suisque Successoribus canonice intransitibus. Non ero in consilio, aut consensu, vel facto, ut vitam perdant aut membrum; seu capiantur mala captione; aut in eos violenter manus quomodolibet ingerantur, quovis quaesito colore. Consilium vero quod mihi credituri sunt, per se, aut Nuncios suos, seu literas, ad eorum damnum, me sciente, nemini pandam. Papatum Romanum & regalia Sancti Petri adiutor eis ero ad retinendum & defendendum, salvo ordine meo, contra omnem hominem. Legatum Apostolicæ Sedis in eundo & redeundo honorifice tractabo,

tractabo, & in suis necessitatibus adjuvabo. Jura, honores, privilegia & auctoritatem Romanæ Ecclesiæ, Domini nostri Papæ & Successorum prædictorum, conservare, defendere, augere & promovere curabo. Nec ero in consilio, vel facto, seu tractatu in quibus, contra ipsum Dominum nostrum vel eandem Romanam Ecclesiam, aliqua sinistra vel prejudicialia personarum, juris, honoris, status & potestatis eorum machinentur. Et si talia a quibuscunque tractari vel procurari novo, impediam hoc pro posse, & quanto citius potero, significabo eidem Domino nostro, vel alteri, per quem possit ad illius notitiam pervenire. Regulas sanctorum Patrum, decreta, ordinationes, seu dispositiones, reservationes, provisiones & mandata Apostolica totis viribus observabo, & faciam ab aliis observari. Hæreticos, Schismaticos, & rebelles eidem Domino nostro vel Successoribus prædictis, pro posse *prosequar* & impugnabo. Vocatus ad Synodum veniam, nisi præpeditus fuero Canonica præpeditio. Apostolorum limina singulis annis, Curia existente citra; ultra vero montes, singulis bienniis; ultra vero mare, singulis trienniis; per me ipsum visitabo. Et si post primam visitationem personaliter factam, aliquo legitimo negotio præpeditus, personaliter visitare non potero, per aliquem fidum Nuntium de græmio meæ N. Ecclesiæ, bene instructum, qui vice mea, Apostolico conspectui se præsentare, & de legitimo impedimento hujus modi, saltem per juramentum, legitimam fidem facere teneatur, id adimplebo. Possessiones vero ad mensam meam pertinentes, non vendam, neque donabo, neque impignorabo, neque de novo infeudabo, vel aliquo modo alienabo, inconsulto Romano Pontifice; etiam cum consensu Capituli mei.

mei. Sic me Deus adjuvet, & hæc sancta Dei Evangelia."

The Form of Oath, in the Venet. Pontifical, 1572.

" I, N. elect of the Church N. from this hour forward, will be faithful and obedient to Blessed Peter, and the Holy Roman Church, and to our Lord, the Lord Pope N. and his Successors Canonically entering. I will be in no counsel, consent or fact, that they may lose life or member, or be taken by evil capture, or that violent hands be laid on them in any manner whatsoever, or that any injuries be offered them on any pretence or colour. The counsel they shall entrust to me, either by themselves, their *Nuncios*, or letters, to their harm I will not knowingly disclose to any person. The Roman Papacy and the Royalties of St. Peter, I will be their assistant, saving mine own order, to retain and defend against every man. The Legate of the Apostolic See, both going and coming, I will honourably entreat, and in his necessities assist. The rights, honours, privileges and authority of the Roman Church of our Lord the Pope, and his Successors aforesaid, I will be careful to preserve, defend, enlarge and promote. I will not be of counsel, act, or treaty, whereby any thing disadvantageous or prejudicial to our said Lord himself, or the said Roman Church, their persons, right, honour, state and power shall be devised; and if I shall know any such things to be treated of or procured, by any persons whatsoever, as far as I am able, I will prevent the same, and as soon as possible, will signify it to our said Lord, or to some other person, by whose

whose means it may come to his knowledge. The Rules of the holy Fathers, the decrees, orders or appointments, reservations, provisions and mandates Apostolical, with all my might I will observe, and cause to be observed by others. Heretics, Schismatics and Rebels against our said Lord, or his successors aforesaid, I will according to my power prosecute, and oppose. When called to a Synod, I will come, unless I shall be prevented by Canonical impediment. The thresholds of the Apostles I will personally visit every year, if my See is on this side the mountains; but every two years, if beyond; and every three years, if beyond the sea. And if after my first visitation in person, I shall be prevented by any lawful business from personally visiting them, I will perform it by some trusty Messenger well instructed, from the bosom of my Church N. who in my stead shall present himself to the Apostolic view, and be bound to make lawful security, by oath at least, concerning such lawful impediment. The possessions belonging to my table I will neither sell, give away, mortgage, nor invest anew, nor in any manner alienate, even with the consent of my Chapter, without consulting the Roman Pontiff. So help me God, and these holy Gospels of God."

10. Another link in the chain, thus forged for the Necks of Ecclesiastics, was the introduction of the *Canon Law* and *Decretals*, which the Popes, especially *Innocent II.* A. D. 1130, obtruded on the Christian States. In order to effect this, soon after the recovery of the *Justinian Code*, the Popes, by their Decrees, forbade Churchmen to teach the *Civil Law*; as appears from the constitution of *Alexander III.* so early as the year 1163, in the Council of *Tours*; and afterwards, from the fa-

mous

mous Decretal of *Super specula* by *Honorius III.* in 1219, in which the Clergy of all denominations, Seculars as well as Regulars, were prohibited the study of it. And it was, doubtless, to defeat, the mischief which the Popes apprehended to their influence from the credit of the *Imperial* Laws, that *Gratian* was encouraged, about the same time, to compose and publish his *DECRETALS*; which it is said, had the express approbation of Pope *Eugenius*. And afterwards *Gregory IX.* in the year 1236, published a new code of *Decretals*, which like all other collections of this Sort, was calculated to serve the Pope's interest, and depress the rights of the other Patriarchs and temporal Princes*. The consequence of this was obvious — The other Bishops and Churches had often recourse to that of Rome, as Novices to their Superiors, for advice and direction in the use and explication of the *Canons*. The Popes, therefore, perceiving that their answers were received as authority, began to make Decrees and Orders before they were commissioned so to do; under pretence, that *Rome*, being the first and chief seat of *Christendom*, it became the office of the Bishop thereof, to see that the *Canon* and *Ecclesiastical* Laws were put in execution. Thereupon, they took upon them to appoint Judges of the differences amongst the other Bishops, encroached upon the jurisdiction of the Metropolitans, deposed the Bishops who were either not regularly ordained, or were accused of any great crime; and compelled them to come in person to Rome, in order to plead their cause.

Not, but that there were “ many of the Bishops,” as *Puffendorf* observes, “ well enough

* See *Hurd's Moral and Political Dialogues*, p. 179, &c.

“ contented to submit to this Slavery, in hopes of
 “ sharing the prey with their Chief; and because
 “ they were thereby freed from the Jurisdiction of
 “ their *Temporal* Princes, whose power they more
 “ dreaded than that of a distant Tribunal; the
 “ Judges whereof being of the same trade as they,
 “ were not so terrible to them: *For one Crow, will*
 “ *not pick out its fellow's Eyes.*” Some of these
 very indulgent and accommodating *Canons*, the
 Reader may see in the next *Number*.

11. The last, and not the least Cause of the Bishops
 not resisting the growing Power of the Pope, was
 the establishment of the various orders of *Monks*
 and *Friars* in the Romish Church.—“ From these
 “ Monks,” says *Puffendorf*, “ has the Pope form-
 “ ed the *Prætorian* Band, or Regiment of Guards,
 “ whom he has not only quartered as troublesome
 “ companions upon the Laity, but does make use
 “ of them, as spies over the actions of the Bishops
 “ and rest of the Clergy: Therefore it is, that
 “ the Popes have, with so much zeal, maintained
 “ the Privileges of the Monks, especially when in
 “ the 13th century, they would have forced them-
 “ selves from the Bishops Jurisdiction, and sub-
 “ jected themselves immediately to the Pope. And
 “ the Pope has found out the way to carry him-
 “ self so evenly with them, that although, there
 “ are great jealousies betwixt their Orders, as for
 “ example, betwixt the *Franciscans* and *Domini-*
 “ *cans*, yet, he holds the Balance always so even,
 “ and disposes his favours so impartially, that one
 “ Order cannot be oppressed by the other, nor has
 “ reason to complain of the Pope's injustice.”

12. I shall conclude this part of my work, with an
 observation of that great Traveller, and accom-
 plished Scholar, Sir *Edwin Sandys*, taken from his
Europa

Europæ Speculum, or, a Survey of the State of Religion, in the western parts of the World; written at Paris, April 9th, 1509. a Work, which in point of nervous composition and masterly reasoning, is not perhaps exceeded by any in the *present Age*.

“ But to come now to the view of their *Ecclesiastical Government*—as addressed to the upholding of the worldly power and glory of their Order—I think I may truly say: There was never yet State framed by man’s wit, in this world, more powerful and forcible to work those effects, never any more wisely contrived and plotted; or more constantly and diligently put in practice and execution; insomuch that, but for the natural weakness of untruth and dishonesty, which being rotten at the heart, abate the force of whatsoever is founded thereon, their outward means were sufficient to subdue a whole world.”

—“ The particular ways they hold, *to ravish all affections, and to fit each humour*, (which their Jurisdiction and Power being but persuasive and voluntary, They principally regard) are well nigh infinite: There being not any thing either sacred or profane, no virtue or vice almost, no things of so contrary condition soever, which they make not in some sort, to serve that turn; that each fancy may be satisfied, and each appetite find what to feed on. *Whatsoever* either wealth can sway with the lovers, or voluntary poverty with the disposers, of the world; *what* honour, with the ambitious; *what* obedience, with the humble; *what* great employment, with stirring and mettled spirits; *what* perpetual quiet, with heavy and restive bodies; *what* content the pleasant nature can take in pastimes and jollity; *what* contrariwise the austere mind, in discipline and rigor; *what* love ei-
ther

ther chastity can raise in the pure, or voluptuousness in the dissolute; *what* allurements are in knowledge to draw the contemplative, or in actions of State to possess the practick dispositions; *what* with the hopeful, prerogative of reward can work; *what* errors, doubts, and dangers, with the fearful; *what* change of vows, with the rash; of estate, with the inconstant; *what* pardons with the faulty, or supplies with the defective; *what* *miracles*, with the credulous; *what* visions, with the fantastical; *what* gorgeousness of shews, with the vulgar and simple; *what* multitude of ceremonies, with the superstitious and ignorant; *what* prayer, with the devout; *what* with the Charitable, works of Piety; *what* rules of higher Perfection, with elevated affections; *what* dispensing with breach of all rules, with men of lawless conditions; in sum: *what* thing *soever* can prevail with any man, either for himself to pursue, or at leastwise to love, reverence or honour in another; (for even therein also man's nature receiveth great satisfaction) the same is found with them: not, as in other places of the world, by casualty, blended without order, and of necessity; but sorted, in great part, into several professions; countenanced with reputation, honoured with prerogatives, facilitated with Provisions and yearly maintenance; and either (as the better things) advanced with expectation of reward; or born with, how bad *soever*, with sweet and silent Permission. What pomp, what riot, to that of their Cardinals? what severity of Life comparable to their Hermits and Capuchins? Who, wealthier than their Prelates? who, poorer than their Mendicants? On the one side of the street, a Cloyster of Virgins; on the other a Sty of Courtezans, with public toleration. This day, all in masks with all looseness and foolery; to-morrow,

all

all in Processions, whipping themselves 'till the blood follow. On one door, an Excommunication, throwing to Hell all transgressours; on another, a Jubilee, or full discharge from all transgressions. Who, learned in all kind of Sciences than their Jesuits? What thing more ignorant than their ordinary Mass-priests? What Prince, so able to prefer his Servants and followers, as the POPE, and in so great multitude? Who, able to take deeper and readier revenge on his enemies? What pride, equal to his, making Kings kiss his Pantofle? What humility greater than his, shriving himself daily on his knees to an ordinary Priest? Who, difficulter in dispatch of causes to the greatest? Who easier in giving audience to the meanest? Where, greater rigor in the world in acting the observation of the Church Laws? Where, less care or conscience of the Commandments of God? To taste flesh on a Friday, where suspicion might fasten, were matter for the Inquisition; whereas on the other side, the Sunday is one of their greatest market days."

"To conclude, never State, never Government in the World, so strangely compacted of infinite contrarieties, all tending to entertain the several humours of all men, and to work what kind of effects soever they shall desire: Where rigor and remissness, cruelty and lenity, are so combined; that with neglect of the Church to stir aught, is a sin unpardonable; whereas with duty towards the Church, and by intercession for her allowance, with respective attendance of her pleasure, no Law almost of God or Nature so sacred, which, one way or other, they find not means to dispense with, or at leastwise permit the breach of, by connivance and without disturbance."



N U M B. VI.

The following *Decrees*, are taken from the **CORPUS JURIS CANONICI**; *Decret. GREG. Tit. 1. p. 76.*

DE JUDICIIS.

Ex Synodo Eugenii Papæ.

Cap. 2. Decernimus, ut Laici Ecclesiastica tractare negotia non præsumant. Sed Episcopi, Abbates, Archiepiscopi, & alii Ecclesiarum Prælati de negotiis Ecclesiasticis (maxime de illis quæ Spiritualia esse noscuntur) Laicorum judicio non disponant. Nec, propter eorum prohibitionem, Ecclesiasticam dimittant justitiam exercere.

Idem Salernitano Episcopo.

Cap. 4. Et si Clerici coram sæculari Judice convicti fuerint, vel confessi de crimine, non sunt, propter hoc, a suo Episcopo aliquatenus condemnandi. Sicut enim sententia a non suo judice lata non tenet, & ita, facta confessio coram eo. Si vero, coram Episcopo de criminibus in jure confessi sunt, seu legitima probatione convicti; (dummodo sint talia crimina propter quæ suspendi debeant vel deponi) non immerito suspendendi sunt a suis Ordinibus, vel ab Altaris ministerio perpetuo removendi.

De adulteriis vero, & aliis criminibus quæ sunt *minora*, potest Episcopus cum Clericis post peractam pœnitentiam dispensare. Sed non debet quemlibet

libet depositum pro suis excessibus (cum suo fit functus officio, nec duplici debeat ipsum contritione, conterere) Iudici tradere sæculari.

Lucius III. Strigon. Archiepiscopo.

Cap. 8. Cum Imperator dicat, quod Leges non dedignantur sacros Canones imitari, in quibus generaliter traditur, ut de *omni* crimine Clericus debeat coram Ecclesiastico iudice conveniri. Non debet, in hac parte, Canonibus ex aliqua consuetudine præjudicium generari.

Celestinus III.

Cap. 10. A nobis fuit ex parte tua quæsitum, Utrum liceat Regi vel alicui sæculari Personæ iudicare Clericos cujuscunque Ordinis, sive in furto, sive in homicidio, vel perjurio, seu *quibuscunque* fuerint criminibus deprehensi. Consultationi tuæ taliter respondeo: Quod si Clericus in quocunque ordine constitutus, in furto, vel homicidio, vel perjurio, seu alio crimine fuerit deprehensus legitime atque convictus, ab Ecclesiastico iudice *deponendus* est: Qui, si depositus incorrigibilis fuerit, *excommunicari* debet: Deinde, contumacia crescente, *anathematis* mucrone feriri: Postmodum vero, si in profundum malorum veniens contemplerit, quum Ecclesia non habeat *ultra* quid faciat; ne possit esse ultra perditio plurimorum, per Sæcularem comprimendus est potestatem; ita, quod ei deputetur *exilium*, vel alia *legitima pœna* inferatur.

Innocentius

Innocentius III.

Cap. 17. Præcipiatis ex parte nostrâ Prælatiis, ut Laicis de Clericis conquerentibus, plenam faciant justitiam exhiberi: Non obstantibus appellationibus frustratoriis, quas, in eorum gravamine, Clerici frequenter opponunt. Ne, pro defectu justitiæ, Clerici trahantur a Laicis ad judicium sæculare: Quod *omnino* fieri prohibemus.

Cap. 11. 12. Ad Sacerdotes Deus voluit quæ Ecclesiâ disponenda sunt pertinere, non ad sæculi Potestates; quas, si *fideles* sunt, Ecclesiæ suæ Sacerdotibus voluit esse subjectas.—Imperatores *Christiani* subdere debent executiones suas Ecclesiasticis Præsulibus, non preferre.—Obsequi *solere* Principes *Christianos* Decretis Ecclesiæ, non suam præponere potestatem—Episcopis caput subdere Principem *solitum*, non de eorum capitibus judicare.

END of the APPENDIX.

